
United States Court of Appeals
for the
Fifth Circuit

Case No. 23-60494

WILL MCRANEY,

Plaintiff-Appellant,

v.

THE NORTH AMERICAN MISSION BOARD
OF THE SOUTHERN BAPTIST CONVENTION, INCORPORATED,

Defendant-Appellee.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF MISSISSIPPI, ABERDEEN IN NO. 1:17-CV-80,
HONORABLE GLEN H. DAVIDSON, U.S. DISTRICT JUDGE

RECORD EXCERPTS

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TAB 5	ROA.3995	Plaintiff's Notice of Appeal, filed September 12, 2023	RE-61

TAB 1

APPEAL,CLOSED,JURY

**U.S. District Court
Northern District of Mississippi (Aberdeen Division)
CIVIL DOCKET FOR CASE #: 1:17-cv-00080-GHD-DAS
Internal Use Only**

McRaney v. The North American Mission Board of the Southern
Baptist Convention, Inc.
Assigned to: Senior Judge Glen H. Davidson
Referred to: Magistrate Judge David A. Sanders
Case in other court: U S Court of Appeals - Fifth Circuit, 19-60293
Circuit Court of Winston County, Mississippi,
17-00082-CVL
5th Circuit, 23-60494

Date Filed: 05/18/2017
Date Terminated: 08/15/2023
Jurisdiction: Diversity

Plaintiff

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Date Filed	#	Docket Text
05/18/2017	<u>1 (p.35)</u>	<p>NOTICE OF REMOVAL by The North American Mission Board of the Southern Baptist Convention, Inc. from Circuit Court of Winston County, Mississippi, case number 2017-082-CVL. (Filing fee \$ 400 receipt number 0537-1437106)</p> <p>Pursuant to Local Uniform Civil Rule 5(b) and the Administrative Procedures for Electronic Case Filing for the Northern District of Mississippi, the removing defendant must electronically file a copy of the entire state court record within 14 days of the date of removal. The state court record will be filed using the event <i>State Court Record - Removal</i>. Attach the Notice/Certificate of Filing State Court Record as the main document with each state court document attached as a separate PDF. All attachments must be clearly identified. The state court record can not be filed conventionally.</p>

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		, filed by The North American Mission Board of the Southern Baptist Convention, Inc.. (Attachments: # <u>1 (p.35)</u> State Court Complaint, # <u>2 (p.50)</u> Summons, # <u>3 (p.58)</u> Civil Cover Sheet) (jtm)
05/18/2017	<u>2 (p.50)</u>	STATE COURT COMPLAINT against The North American Mission Board of the Southern Baptist Convention, Inc., filed by Will McRaney. (jtm)
05/18/2017		NOTICE OF ASSIGNMENT. Case assigned to Judge Glen H. Davidson and Magistrate Judge David A. Sanders. (jtm)
05/18/2017	<u>3 (p.58)</u>	ANSWER to State Court Complaint by The North American Mission Board of the Southern Baptist Convention, Inc.. (Attachments: # <u>1 (p.35)</u> Exhibit A -- MD/DE Convention Agreement) (Carrington, Kathleen)
05/18/2017	<u>4 (p.72)</u>	NOTICE of Attorney Appearance by Joshua J. Wiener on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. (Wiener, Joshua)
05/19/2017		(Court only) ***Staff notes - Emailed attorney Carrington re: <u>3 (p.58)</u> rule 11 requirements. (cr)
05/25/2017	<u>5 (p.74)</u>	STATE COURT RECORD - REMOVAL. (Attachments: # <u>1 (p.35)</u> Clerk's Certificate, # <u>2 (p.50)</u> Docket page, # <u>3 (p.58)</u> Civil Cover Sheet, # <u>4 (p.72)</u> Complaint, # <u>5 (p.74)</u> Issued Summons to The North American Mission Board, # <u>6 (p.94)</u> Fee Bill Civil Cases, # <u>7 (p.96)</u> Copy of check for filing fee, # <u>8 (p.99)</u> Letter from Harvey Barton regarding filing Complaint, # <u>9 (p.104)</u> Summons to The North American Mission Board with executed proof of service, # <u>10 (p.128)</u> Letter from Harvey Barton regarding filing proof of service) (Wiener, Joshua)
06/08/2017	<u>6 (p.94)</u>	CORPORATE STATEMENT . (Carrington, Kathleen)
06/13/2017	<u>7 (p.96)</u>	INITIAL ORDER - RULE 16.1 Telephonic Case Management Conference set for 7/26/2017 at 10:00 AM before Magistrate Judge David A. Sanders. Proposed Case Management Order and Confidential Settlement Memoranda due no later than 7/19/2017. Signed by Magistrate Judge David A. Sanders on 6/13/2017. (jf)
06/29/2017	<u>8 (p.99)</u>	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by The North American Mission Board of the Southern Baptist Convention, Inc.. (Attachments: # <u>1 (p.35)</u> Exhibit A IRS determination letter) (Wiener, Joshua)
06/29/2017	<u>9 (p.104)</u>	MEMORANDUM IN SUPPORT re <u>8 (p.99)</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM . (Wiener, Joshua)
07/11/2017	<u>10 (p.128)</u>	MOTION for Extension of Time to File Response/Reply re <u>8 (p.99)</u> MOTION to Dismiss by Will McRaney. (Barton, W.) Modified on 7/12/2017 (jla).
07/11/2017	<u>11 (p.130)</u>	ORDER granting <u>10 (p.128)</u> Motion for Extension of Time. Plaintiff's Response to Defendant's <u>8 (p.99)</u> Motion to Dismiss due on or before Friday, July 21, 2017. Signed by Senior Judge Glen H. Davidson on 7/11/17. (rel)
07/11/2017		Set/Reset Deadlines as to <u>8 (p.99)</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM . Responses due by 7/21/2017 (rel)
07/12/2017		(Court only) ***Staff notes; emailed Attorney Barton re Local Rule 11 requirements (Doc <u>10 (p.128)</u>) (jla)
07/18/2017	<u>12 (p.131)</u>	ORDER STAYING CASE pending ruling on motion to dismiss. Signed by Magistrate Judge David A. Sanders on 7/18/17. (def)

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07/20/2017	<u>13</u> (p.133)	RESPONSE to Motion re <u>8 (p.99)</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by Will McRaney. (Barton, W.)
07/26/2017	<u>14</u> (p.140)	Endorsed MOTION for Extension of Time to File Response/Reply as to <u>8 (p.99)</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by The North American Mission Board of the Southern Baptist Convention, Inc.. (Carrington, Kathleen)
07/26/2017	<u>15</u> (p.143)	NOTICE Cancelling Telephonic Case Management Conference (jf)
07/26/2017		(Court only) Motions No Longer Referred: <u>14 (p.140)</u> Endorsed MOTION for Extension of Time to File Response/Reply as to <u>8 (p.99)</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM (jla)
07/26/2017	<u>16</u> (p.144)	ORDER granting <u>14 (p.140)</u> Motion for Extension of Time to File Response/Reply re <u>8 (p.99)</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM Replies due by 8/1/2017.. Signed by Senior Judge Glen H. Davidson on 7/26/17. (jla)
08/01/2017	<u>17</u> (p.145)	REPLY to Response to Motion re <u>8 (p.99)</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by The North American Mission Board of the Southern Baptist Convention, Inc.. (Carrington, Kathleen)
01/19/2018	<u>18</u> (p.150)	ORDER granting in part and denying in part <u>8 (p.99)</u> Motion to Dismiss for Failure to State a Claim. Signed by Senior Judge Glen H. Davidson on 1/18/18. (jla)
01/19/2018	<u>19</u> (p.151)	MEMORANDUM OPINION re <u>18 (p.150)</u> Order on Motion to Dismiss for Failure to State a Claim. Signed by Senior Judge Glen H. Davidson on 1/18/18. (jla)
01/19/2018		(Court only) ***Clear Stay Flag (jla) (Entered: 03/13/2018)
01/29/2018	<u>20</u> (p.165)	MOTION for Certificate of Appealability <i>and for Stay of Proceedings</i> by The North American Mission Board of the Southern Baptist Convention, Inc.. (Wiener, Joshua)
01/29/2018	<u>21</u> (p.168)	MEMORANDUM IN SUPPORT re <u>20 (p.165)</u> MOTION for Certificate of Appealability <i>and for Stay of Proceedings</i> filed by The North American Mission Board of the Southern Baptist Convention, Inc.. (Wiener, Joshua)
02/23/2018	<u>22</u> (p.179)	ORDER denying <u>20 (p.165)</u> Motion for Certificate of Appealability. Signed by Senior Judge Glen H. Davidson on 02/22/2018. (mga)
02/23/2018	<u>23</u> (p.180)	MEMORANDUM OPINION re <u>22 (p.179)</u> Order on Motion for Certificate of Appealability. Signed by Senior Judge Glen H. Davidson on 02/22/2018. (mga)
03/13/2018	<u>24</u> (p.184)	INITIAL ORDER - RULE 16.1Telephonic Case Management Conference set for 5/1/2018 at 10:15 AM before Magistrate Judge David A. Sanders. Proposed Case Management Order and Confidential Settlement Memos due no later than 4/24/2018. Signed by Magistrate Judge David A. Sanders on 3/13/2018. (jf)
04/24/2018	<u>25</u> (p.187)	NOTICE Cancelling Telephonic Case Management Conference set for 5/1/2018 at 10:15 a.m. before U.S. Magistrate Judge David Sanders. (jf)
07/31/2018	<u>26</u> (p.188)	INITIAL ORDER - RULE 16.1Telephonic Case Management Conference RESET for 9/5/2018 at 10:00 AM before Magistrate Judge David A. Sanders. Proposed Case Management Order and Confidential Settlement Memos due no later than 8/29/2018. Signed by Magistrate Judge David A. Sanders on 7/31/2018. (jf)
09/05/2018		

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	<u>27</u> (p.191)	Minute Entry for proceedings held before Magistrate Judge David A. Sanders: Telephonic Case Management Conference held on 9/5/2018. Case Management Order to be entered. (jf)
09/11/2018	<u>28</u> (p.192)	NOTICE OF SERVICE of First Set of Interrogatories to Plaintiff by Joshua J. Wiener on behalf of The North American Mission Board of the Southern Baptist Convention, Inc.. (Wiener, Joshua)
09/11/2018	<u>29</u> (p.194)	NOTICE OF SERVICE of Requests for Production of Documents to Plaintiff by Joshua J. Wiener on behalf of The North American Mission Board of the Southern Baptist Convention, Inc.. (Wiener, Joshua)
09/11/2018	<u>30</u> (p.196)	NOTICE by Joshua J. Wiener on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. <i>cf Intent to Serve Subpoena Duces Tecum upon Baptist Convention cf Maryland/Delaware, Inc.</i> (Attachments: # <u>1</u> (p.35) Exhibit A Subpoena to Produce Documents) (Wiener, Joshua) Modified on 9/27/2018 (jla).
09/17/2018	<u>31</u> (p.202)	CASE MANAGEMENT ORDER Final Pretrial Conference set for 11/12/2019 at 10:30 AM in Oxford Visiting Magistrate Judge Chambers before Magistrate Judge David A. Sanders. Discovery due by 4/1/2019. Amendments/Joinder of Parties due by 12/3/2018. Plaintiffs Designation of Experts due by 1/7/2019. Defendants Designation of Experts due by 2/4/2019. Motions due by 4/15/2019. Signed by Magistrate Judge David A. Sanders on 9/17/2018. (jf)
09/18/2018	<u>32</u> (p.207)	NOTICE of Trial: MVD Jury Trial set for 12/9/2019 at 09:30 AM in Oxford Courtroom 1 before Senior Judge Glen H. Davidson. (mga)
09/26/2018	<u>33</u> (p.208)	NOTICE OF SERVICE of Rule 26(a)(1) Initial Disclosures by Kathleen I. Carrington on behalf of The North American Mission Board of the Southern Baptist Convention, Inc.. (Carrington, Kathleen)
10/02/2018	<u>34</u> (p.210)	NOTICE OF SERVICE of First Set of Interrogatories by W. Harvey Barton on behalf of Will McRaney to Defendant. (Barton, W.)
10/02/2018	<u>35</u> (p.212)	NOTICE OF SERVICE of First Set of Requests for Production of Documents by W. Harvey Barton on behalf of Will McRaney to Defendant. (Barton, W.)
10/02/2018	<u>36</u> (p.214)	NOTICE OF SERVICE of First Set of Requests for Admissions by W. Harvey Barton on behalf of Will McRaney to Defendant. (Barton, W.)
10/05/2018	<u>37</u> (p.216)	MOTION to Quash <i>Subpoena Duces Tecum</i> by Baptist Convention of Maryland/Delaware, Inc.. (Attachments: # <u>1</u> (p.35) Exhibit 1, # <u>2</u> (p.50) Exhibit 2) (Stone, Adam)
10/05/2018	<u>38</u> (p.237)	MEMORANDUM IN SUPPORT re <u>37</u> (p.216) MOTION to Quash <i>Subpoena Duces Tecum</i> filed by Baptist Convention of Maryland/Delaware, Inc.. (Stone, Adam)
10/05/2018	<u>39</u> (p.248)	NOTICE of Attorney Appearance by Jackie R. Bost, II on behalf of Baptist Convention of Maryland/Delaware, Inc. (Bost, Jackie)
10/10/2018	<u>40</u> (p.250)	Response to <u>30</u> (p.196) Notice (Other), <i>cf Intent to Serve Subpoena Duces Tecum.</i> (Attachments: # <u>1</u> (p.35) Exhibit Affidavit) (Barton, W.)
10/18/2018	<u>41</u> (p.254)	MOTION for Extension of Time to File Response/Reply as to <u>37</u> (p.216) MOTION to Quash <i>Subpoena Duces Tecum</i> by The North American Mission Board of the Southern Baptist Convention, Inc.. (Carrington, Kathleen)

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10/19/2018	<u>42</u> (p.257)	ORDER granting <u>41</u> (p.254) Motion for Extension of Time to File Response re <u>37</u> (p.216) MOTION to Quash <i>Subpoena Duces Tecum</i> . Response due by 11/2/2018. Signed by Magistrate Judge David A. Sanders on 10/19/18. (jcm)
11/01/2018	<u>43</u> (p.258)	MOTION for Extension of Time to Respond to Plaintiff's Discovery Requests by The North American Mission Board of the Southern Baptist Convention, Inc.. (Wiener, Joshua)
11/01/2018	<u>44</u> (p.261)	ORDER granting <u>43</u> (p.258) Motion for Extension of Time. Defendant's discovery responses due by 12/17/18. Signed by Magistrate Judge David A. Sanders on 11/1/18. (jcm)
11/02/2018	<u>45</u> (p.262)	RESPONSE to Motion re <u>37</u> (p.216) MOTION to Quash <i>Subpoena Duces Tecum</i> filed by The North American Mission Board of the Southern Baptist Convention, Inc.. (Wiener, Joshua)
11/02/2018	<u>46</u> (p.265)	MEMORANDUM IN SUPPORT re <u>45</u> (p.262) Response to Motion re <u>37</u> (p.216) MOTION to Quash Subpoena Duces Tecum filed by The North American Mission Board of the Southern Baptist Convention, Inc.. (Wiener, Joshua) Modified on 11/5/2018 (jla).
11/02/2018	<u>47</u> (p.272)	First Amended ANSWER to Complaint by The North American Mission Board of the Southern Baptist Convention, Inc.. (Wiener, Joshua)
11/05/2018	<u>48</u> (p.282)	MOTION for Partial Summary Judgment by The North American Mission Board of the Southern Baptist Convention, Inc.. (Attachments: # <u>1</u> (p.35) Exhibit A Affidavit of Carlos Ferrer) (Wiener, Joshua) Modified on 4/24/2019 (jla).
11/05/2018	<u>49</u> (p.289)	MEMORANDUM IN SUPPORT re <u>48</u> (p.282) MOTION for Partial Summary Judgment filed by The North American Mission Board of the Southern Baptist Convention, Inc.. (Wiener, Joshua)
11/07/2018	<u>50</u> (p.297)	ORDER granting <u>37</u> (p.216) Motion to Quash. Signed by Magistrate Judge David A. Sanders on 11/7/18. (jcm)
11/09/2018	<u>51</u> (p.299)	MEMORANDUM IN SUPPORT re <u>48</u> (p.282) MOTION for Partial Summary Judgment Supplemental filed by The North American Mission Board of the Southern Baptist Convention, Inc.. (Wiener, Joshua)
12/11/2018	<u>52</u> (p.303)	RESPONSE to Motion re <u>48</u> (p.282) MOTION for Partial Summary Judgment filed by Will McRaney. (Attachments: # <u>1</u> (p.35) Exhibit A) (Barton, W.)
12/17/2018	<u>53</u> (p.308)	Joint MOTION for Extension of Time to Serve Discovery Responses by The North American Mission Board of the Southern Baptist Convention, Inc.. (Carrington, Kathleen)
12/18/2018	<u>54</u> (p.311)	ORDER granting <u>53</u> (p.308) Motion for Extension of Time. Signed by Magistrate Judge David A. Sanders on 12/18/18. (jcm)
12/18/2018	<u>55</u> (p.313)	RESPONSE in Support re <u>48</u> (p.282) MOTION for Partial Summary Judgment filed by The North American Mission Board of the Southern Baptist Convention, Inc.. (Wiener, Joshua)
12/18/2018	<u>56</u> (p.320)	MOTION to Strike Portions of the Affidavit of R. David De Armas by The North American Mission Board of the Southern Baptist Convention, Inc.. (Attachments: # <u>1</u> (p.35) Exhibit A Affidavit) (Carrington, Kathleen)

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12/18/2018	<u>57</u> (p.324)	MEMORANDUM IN SUPPORT re <u>56 (p.320)</u> MOTION to Strike <i>Portions of the Affidavit of R. David De Armas</i> filed by The North American Mission Board of the Southern Baptist Convention, Inc.. (Carrington, Kathleen)
12/18/2018		(Court only) Motions No Longer Referred: <u>56 (p.320)</u> MOTION to Strike <i>Portions of the Affidavit of R. David De Armas</i> (jcm)
12/20/2018	<u>58</u> (p.330)	MOTION for Extension of Time to File Response/Reply as to <u>48 (p.282)</u> MOTION for Partial Summary Judgment by Will McRaney. (Barton, W.)
01/02/2019		(Court only) Motions No Longer Referred: <u>58 (p.330)</u> MOTION for Extension of Time to File Response/Reply as to <u>48 (p.282)</u> MOTION for Partial Summary Judgment (jcm)
01/16/2019	<u>59</u> (p.333)	ORDER granting <u>58 (p.330)</u> Motion for Extension of Time to File Response/Reply re <u>48 (p.282)</u> MOTION for Partial Summary Judgment . Responses due by 12/11/2018. Signed by Senior Judge Glen H. Davidson on 01/11/2019. (mga).
03/05/2019	<u>60</u> (p.335)	ORDER TO SHOW CAUSE within 14 days why this case should not be remanded to Winston County Circuit Court. Signed by Senior Judge Glen H. Davidson on 3/4/19. (jla)
03/19/2019	<u>61</u> (p.338)	RESPONSE TO ORDER TO SHOW CAUSE. (Carrington, Kathleen)
03/19/2019	<u>62</u> (p.345)	RESPONSE TO ORDER TO SHOW CAUSE. (Barton, W.)
04/24/2019	<u>63</u> (p.348)	MEMORANDUM OPINION. Signed by Senior Judge Glen H. Davidson on 4/22/19. (jla)
04/24/2019	<u>64</u> (p.355)	ORDER converting <u>48 (p.282)</u> to a Motion to DISMISS and GRANTING same; finding as moot <u>56 (p.320)</u> Motion to Strike, CASE CLOSED. Signed by Senior Judge Glen H. Davidson on 4/22/19. (jla) Modified on 4/30/2019 (jla).
05/01/2019	<u>65</u> (p.356)	NOTICE OF APPEAL as to <u>64 (p.355)</u> Order on Motion for Summary Judgment, Order on Motion to Strike by W. Harvey Barton on behalf of Will McRaney. Filing fee \$ 505, receipt number 0537-1673762. (Barton, W.)
05/02/2019		(Court only) ***Staff notes: TAB appeal (tab)
05/09/2019	<u>66</u> (p.358)	USCA Case Number 19-60293 for <u>65 (p.356)</u> Notice of Appeal filed by Will McRaney. (tab)
06/06/2019		Notice of Certification of Electronic Record on Appeal. The Court of Appeals has accepted the Electronic Record on Appeal and it is available for attorney access and download using instructions found at (THIS LINK.) Use the login credentials provided to you by the Court of Appeals clerk. (tab)
12/01/2020	<u>67</u> (p.361)	USCA ORDER denying petition for rehearing en banc as to <u>65 (p.356)</u> Notice of Appeal filed by Will McRaney (Attachments: # <u>1 (p.35)</u> USCA Letter) (tab)
12/03/2020	<u>68</u> (p.394)	USCA JUDGMENT that district court judgment is REVERSED AND REMANDED for further proceedings in accordance with Opinion of this Court; that appellant pay to appellee costs on appeal as to <u>65 (p.356)</u> Notice of Appeal filed by Will McRaney (Attachments: # <u>1 (p.35)</u> USCA Opinion, # <u>2 (p.50)</u> USCA Letter) (tab)
12/10/2020		

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	<u>69</u> (p.403)	NOTICE of Status Conference:Telephonic Status Conference set for 12/16/2020 at 09:00 AM before Magistrate Judge David A. Sanders. (cs)
12/10/2020		(Court only) ***Staff notes Copy of Docket <u>69</u> (p.403) mailed to Jackie R. Bost, II at address on Docket from Oxford Clerk's Office. (cs)
12/15/2020	<u>70</u> (p.404)	MOTION to Stay <i>Proceedings Pending Resolution of Defendant's Petition for Writ of Certiorari</i> by The North American Mission Board of the Southern Baptist Convention, Inc.. (Attachments: # <u>1</u> (p.35) Exhibit A -- NAMB's Petition for Rehearing En Banc, # <u>2</u> (p.50) Exhibit B -- Order Denying Petition for Rehearing En Banc) (Carrington, Kathleen)
12/16/2020	<u>71</u> (p.477)	Minute Entry for proceedings held before Magistrate Judge David A. Sanders: Status Conference held on 12/16/2020. (cs)
01/05/2021	<u>72</u> (p.478)	ORDER granting <u>70</u> (p.404) Motion to Stay. Signed by Senior Judge Glen H. Davidson on 1/5/21. (jla)
06/29/2021	<u>73</u> (p.480)	WRIT OF CERTIORARI denied by US Supreme Court re <u>65</u> (p.356) Notice of Appeal (Attachments: # <u>1</u> (p.35) USCA Letter) (tab)
07/08/2021	<u>74</u> (p.482)	ORDER LIFTING STAY OF PROCEEDINGS. Signed by Senior Judge Glen H. Davidson on 7/8/2021. (jwr)
07/13/2021	<u>75</u> (p.483)	NOTICE of Conference: Telephonic Case Management Conference set for 8/23/2021 02:00 PM in Amory Tele-Conference before Magistrate Judge David A. Sanders. (def)
07/23/2021	<u>76</u> (p.487)	MOTION to Appear Pro Hac Vice ; Attorney Scott E. Gant,(Paid \$150 PHV fee; receipt number AMSNDC-1975547) by Will McRaney. (Attachments: # <u>1</u> (p.35) Exhibit Cert of Good Standing) (Barton, W.)
07/26/2021		(Court only) ***Staff notes; PHV Motion <u>76</u> (p.487) for Scott E. Gant verified. (jla)
08/04/2021	<u>77</u> (p.494)	ORDER granting <u>76</u> (p.487) Motion to Appear Pro Hac Vice; Attorney Scott E. Gant for the plaintiff. Signed by Magistrate Judge David A. Sanders on 8/4/21. (def)
08/05/2021	<u>78</u> (p.495)	NOTICE of Attorney Appearance by Scott E. Gant on behalf of Will McRaney (Gant, Scott)
08/23/2021	<u>79</u> (p.496)	MOTION for Partial Summary Judgment by The North American Mission Board of the Southern Baptist Convention, Inc.. (Attachments: # <u>1</u> (p.35) Exhibit A -- Affidavit of Carlos Ferrer) (Carrington, Kathleen)
08/23/2021	<u>80</u> (p.501)	MEMORANDUM IN SUPPORT re <u>79</u> (p.496) MOTION for Partial Summary Judgment filed by The North American Mission Board of the Southern Baptist Convention, Inc.. (Carrington, Kathleen)
08/23/2021	<u>81</u> (p.514)	Minute Entry for proceedings held before Magistrate Judge David A. Sanders: Telephonic Case Management Conference held on 8/23/2021. Case Management Order to be entered. (jf)
08/23/2021	<u>82</u> (p.515)	CASE MANAGEMENT ORDER Final Pretrial Conference set for 10/20/2022 at 1:30 PM in Oxford Visiting Magistrate Judge Chambers before Magistrate Judge David A. Sanders. Discovery due by 3/28/2022. Amendments/Joinder of Parties due by 11/22/2021. Plaintiffs Designation of Experts due by 1/24/2022. Defendants Designation of Experts due by 2/21/2022. Motions due by 4/11/2022. Signed by

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		Magistrate Judge David A. Sanders on 8/23/2021. (jf)
08/24/2021	<u>83</u> (p.520)	NOTICE of Trial: MVD Jury Trial RESET for 11/7/2022 09:30 AM in Oxford Courtroom 1 before Senior Judge Glen H. Davidson. (mga)
09/03/2021	<u>84</u> (p.521)	ORDER setting time for Rule 56(d) response and reply. Signed by Magistrate Judge David A. Sanders on 9/3/21. (def)
09/20/2021	<u>85</u> (p.522)	RESPONSE in Opposition re <u>79</u> (p.496) MOTION for Partial Summary Judgment filed by Will McRaney. (Attachments: # <u>1</u> (p.35) Exhibit Declaration of Charles R Lindsay, CPA) (Gant, Scott)
09/20/2021	<u>86</u> (p.531)	MEMORANDUM IN SUPPORT re <u>85</u> (p.522) Response in Opposition to Motion re <u>79</u> (p.496) MOTION for Partial Summary Judgment filed by Will McRaney. (Gant, Scott) Modified on 9/21/2021 (jla).
09/21/2021		CLERK'S NOTICE OF CORRECTION re <u>86</u> (p.531) Memorandum in Support; All related filings to motion should be linked back to the original motion. Court staff has made the correction. (jla)
09/23/2021	<u>87</u> (p.547)	MOTION for Extension of Time to File Response/Reply as to <u>85</u> (p.522) Response in Opposition to Motion for Partial Summary Judgment re <u>79</u> (p.496) MOTION for Partial Summary Judgment by The North American Mission Board of the Southern Baptist Convention, Inc.. (Carrington, Kathleen) Modified on 9/24/2021 (jla).
09/24/2021		CLERK'S NOTICE OF CORRECTION re <u>87</u> (p.547) MOTION for Extension of Time to File Response/Reply as to <u>85</u> (p.522) Response in Opposition to Motion for Partial Summary Judgment; All related filings to motion should be linked back to the original motion. Court staff has made the correction. (jla)
09/24/2021		(Court only) Motions No Longer Referred: <u>87</u> (p.547) MOTION for Extension of Time to File Response/Reply as to <u>85</u> (p.522) Response in Opposition to Motion for Partial Summary Judgment (def)
09/27/2021	<u>88</u> (p.550)	ORDER granting <u>87</u> (p.547) Motion for Extension of Time to File Response/Reply re <u>79</u> (p.496) MOTION for Partial Summary Judgment . Replies due by 10/7/2021. Signed by Senior Judge Glen H. Davidson on 9/27/2021. (mga)
10/07/2021	<u>89</u> (p.551)	RESPONSE in Support re <u>79</u> (p.496) MOTION for Partial Summary Judgment filed by The North American Mission Board of the Southern Baptist Convention, Inc.. (Carrington, Kathleen)
10/20/2021	<u>90</u> (p.563)	NOTICE OF SERVICE of Responses to Plaintiff's Requests for Production of Documents by Kathleen I. Carrington on behalf of The North American Mission Board of the Southern Baptist Convention, Inc.. (Carrington, Kathleen)
12/22/2021	<u>91</u> (p.565)	NOTICE of Status Conference:Telephonic Status Conference set for 12/27/2021 02:00 PM in Amory Tele-Conference before Magistrate Judge David A. Sanders. (cs)
12/27/2021	<u>92</u> (p.566)	Minute Entry for proceedings held before Magistrate Judge David A. Sanders: Status Conference held on 12/27/2021. (cs)
01/12/2022	<u>93</u> (p.567)	ORDER denying <u>79</u> (p.496) Motion for Partial Summary Judgment. Signed by Senior Judge Glen H. Davidson on 1/12/2022. (mga)
01/17/2022	<u>94</u>	NOTICE of Hearing:ZOOM Hearing set for 1/26/2022 01:30 PM in Amory

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	<u>(p.569)</u>	Courtroom 1 Video Conference before Magistrate Judge David A. Sanders. Zoom information will be emailed to counsel. (cs)
01/26/2022	<u>95</u> <u>(p.570)</u>	Minute Entry for proceedings held before Magistrate Judge David A. Sanders: Miscellaneous Hearing held on 1/26/2022. (Court Reporter digital.) (cs) Modified on 1/28/2022 (jla). (Entered: 01/27/2022)
01/31/2022	<u>96</u> <u>(p.571)</u>	NOTICE of Trial: MVD Jury Trial RESET for 4/10/2023 09:30 AM in Oxford Courtroom 1 before Senior Judge Glen H. Davidson. (mga)
02/09/2022	<u>97</u> <u>(p.572)</u>	STIPULATION <i>Joint</i> by The North American Mission Board of the Southern Baptist Convention, Inc.. (Carrington, Kathleen)
02/11/2022	<u>98</u> <u>(p.575)</u>	NOTICE OF SERVICE of First Set of Interrogatories by Kathleen I. Carrington on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. to Plaintiff. (Carrington, Kathleen)
02/11/2022	<u>99</u> <u>(p.577)</u>	NOTICE OF SERVICE of First Set of Requests for Production of Documents by Kathleen I. Carrington on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. to Plaintiff. (Carrington, Kathleen)
02/16/2022	<u>100</u> <u>(p.579)</u>	ORDER ON DISCOVERY. Final Pretrial Conference set for 3/7/2023 10:00 AM in Oxford Visiting Judge Chambers before Magistrate Judge David A. Sanders. Discovery due by 10/28/2022. Motions due by 11/11/2022. Plaintiffs Designation of Experts due by 7/29/2022. Defendants Designation of Experts due by 8/26/2022. Signed by Magistrate Judge David A. Sanders on 2/16/22. (cs)
02/16/2022	<u>101</u> <u>(p.583)</u>	NOTICE of Conference: Final Pretrial Conference reset for 3/7/2023 at 10:00 AM in Oxford Visiting Magistrate Judge Chambers before Magistrate Judge David A. Sanders. Draft of Final Pretrial Order due by 3/3/2023. (jf)
02/16/2022	<u>102</u> <u>(p.584)</u>	ORDER Governing Final Pretrial Conference and Preparation of Final Pretrial Order. Signed by Magistrate Judge David A. Sanders on 2/16/2022. (jf)
03/18/2022	<u>103</u> <u>(p.586)</u>	NOTICE OF SERVICE of Supplemental Responses to Plaintiff's First Request for Production of Documents by Kathleen I. Carrington on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. to Plaintiff. (Carrington, Kathleen)
05/13/2022	<u>104</u> <u>(p.588)</u>	NOTICE OF SERVICE of Privilege Log of Defendant by Kathleen I. Carrington on behalf of The North American Mission Board of the Southern Baptist Convention, Inc.. (Carrington, Kathleen)
05/15/2022	<u>105</u> <u>(p.590)</u>	NOTICE OF SERVICE of Discovery by Scott E. Gant on behalf of Will McRaney to Defendant. (Gant, Scott)
06/02/2022	<u>106</u> <u>(p.592)</u>	MOTION to Appear Pro Hac Vice ; Attorney Alexandra Michelle Ortiz (Hadley),(Paid \$150 PHV fee; receipt number AMSNDC-2103394) by The North American Mission Board of the Southern Baptist Convention, Inc.. (Attachments: # <u>1</u> <u>(p.35)</u> Exhibit Certificate of Good Standing) (Carrington, Kathleen)
06/02/2022		(Court only) ***Staff notes; PHV Motion <u>106</u> <u>(p.592)</u> for Alexandra Ortiz Hadley verified. (jla)
06/03/2022	<u>107</u> <u>(p.599)</u>	ORDER granting <u>106</u> <u>(p.592)</u> Motion to Appear Pro Hac Vice; Attorney Alexandra Ortiz Hadley. Signed by Magistrate Judge David A. Sanders on 6/3/22. (cs)

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06/08/2022	<u>108</u> (p.600)	NOTICE OF SERVICE of The North American Mississippi Board of the Southern Baptist Convention, Inc.'s Responses to Plaintiff's Second Set of Requests for Production of Documents by Kathleen I. Carrington on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. to All Counsel of Record. (Carrington, Kathleen)
07/11/2022	<u>109</u> (p.602)	NOTICE OF SERVICE of The North American Mission Board of the Southern Baptist Convention, Inc.'s Responses to Plaintiff's First Set of Interrogatories by Alexandra M. Ortiz Hadley on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. to William Harvey Barton, II; Scott E. Gant; lisa@wbartonlaw.com. (Hadley, Alexandra)
07/19/2022	<u>110</u> (p.604)	MOTION to Extend CMO Deadlines by The North American Mission Board of the Southern Baptist Convention, Inc.. (Carrington, Kathleen)
07/20/2022	<u>111</u> (p.607)	ORDER granting <u>110 (p.604)</u> Motion to Extend CMO. Plaintiffs Designation of Experts due by 9/30/2022. Defendants Designation of Experts due by 10/28/2022. Discovery due by 12/30/2022. Motions due by 1/13/2023. Signed by Magistrate Judge David A. Sanders on 7/20/22. (cs)
07/28/2022	<u>112</u> (p.609)	DISREGARD ENTRY -- REFILED AT DOC 113 NOTICE OF SERVICE of Amended Privilege Log of Defendant and Supplemental Documents in Response to Plaintiff's First Set of Interrogatories and Request for Production by Alexandra M. Ortiz Hadley on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. to Plaintiff's Counsel. (Hadley, Alexandra) Modified on 6/30/2023 (jla).
07/29/2022		CLERK'S NOTICE OF CORRECTION re <u>112 (p.609)</u> Notice of Service; Attorney to include signature of local counsel on all filings as required by L.U.Civ.R. 83.1(d)3. Attorney to refile with local counsel signature. (jla)
07/29/2022	<u>113</u> (p.611)	NOTICE OF SERVICE of Amended Privilege Log of Defendant and Supplemental Documents in Response to Plaintiff's First Set of Interrogatories and Request for Production by Alexandra M. Ortiz Hadley on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. to Plaintiff's Counsel. (Hadley, Alexandra)
08/12/2022	<u>114</u> (p.613)	NOTICE OF SERVICE of Amended Privilege Log of Defendant and Supplemental Responses to Plaintiff's Second Set of Request for Production of Documents by Alexandra M. Ortiz Hadley on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. to Plaintiff's Counsel. (Hadley, Alexandra)
09/05/2022	<u>115</u> (p.615)	NOTICE OF SERVICE of Discovery by Scott E. Gant on behalf of Will McRaney to Defendant. (Gant, Scott)
09/09/2022	<u>116</u> (p.617)	MOTION to Withdraw as Attorney <i>by Alexandra Ortiz Hadley</i> by The North American Mission Board of the Southern Baptist Convention, Inc.. (Hadley, Alexandra)
09/12/2022	<u>117</u> (p.619)	ORDER granting <u>116 (p.617)</u> Motion to Withdraw as Attorney. Attorney Alexandra M. Ortiz Hadley terminated. Signed by Magistrate Judge David A. Sanders on 9/12/22. (cs)
09/12/2022	<u>118</u> (p.621)	NOTICE to Take Deposition of Danny Wood by Kathleen I. Carrington on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. (Carrington, Kathleen)

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09/12/2022	<u>119</u> (p.623)	NOTICE to Take Deposition of Rob Paul by Kathleen I. Carrington on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. (Carrington, Kathleen)
09/14/2022	<u>120</u> (p.625)	MOTION for Reconsideration re <u>50 (p.297)</u> Order on Motion to Quash <i>NAMB's MOTION TO RECONSIDER AND VACATE THE COURT'S ORDER GRANTING BCMD'S MOTION TO QUASH SUBPOENA DUCES TECUM</i> by The North American Mission Board of the Southern Baptist Convention, Inc.. (Attachments: # <u>1 (p.35)</u> Exhibit A--June 2, 2015 Letter, # <u>2 (p.50)</u> Exhibit B--Response Emails and Letters) (Carrington, Kathleen)
09/14/2022	<u>121</u> (p.628)	MEMORANDUM IN SUPPORT re <u>120 (p.625)</u> MOTION for Reconsideration re <u>50 (p.297)</u> Order on Motion to Quash <i>NAMB's MOTION TO RECONSIDER AND VACATE THE COURT'S ORDER GRANTING BCMD'S MOTION TO QUASH SUBPOENA DUCES TECUM</i> . (Carrington, Kathleen)
09/16/2022	<u>122</u> (p.634)	NOTICE to Take Deposition of Carlos Ferrer by Scott E. Gant on behalf of Will McRaney (Gant, Scott)
09/16/2022	<u>123</u> (p.636)	AMENDED MOTION for Reconsideration re <u>120 (p.625)</u> MOTION for Reconsideration re <u>50 (p.297)</u> Order on Motion to Quash <i>NAMB's MOTION TO RECONSIDER AND VACATE THE COURT'S ORDER GRANTING BCMD'S MOTION TO QUASH SUBPOENA DUCES TECUM</i> by The North American Mission Board of the Southern Baptist Convention, Inc.. (Attachments: # <u>1 (p.35)</u> Exhibit A -- June 2, 2015 Letter, # <u>2 (p.50)</u> Exhibit B -- Response Emails and Letters) (Carrington, Kathleen) Modified on 9/16/2022 (jtm).
09/19/2022		(Court only) ***Motions terminated: <u>120 (p.625)</u> MOTION for Reconsideration re <u>50 (p.297)</u> Order on Motion to Quash <i>NAMB's MOTION TO RECONSIDER AND VACATE THE COURT'S ORDER GRANTING BCMD'S MOTION TO QUASH SUBPOENA DUCES TECUM</i> filed by The North American Mission Board of the Southern Baptist Convention, Inc.. (cs)
09/21/2022	<u>124</u> (p.639)	TRANSCRIPT REQUEST for proceedings held on 01/26/2022 before Judge Sanders.. (Carrington, Kathleen)
09/22/2022	<u>125</u> (p.641)	NOTICE OF SERVICE of Defendant's Second Supplemental Response to Plaintiff's First Request for Production by Kathleen I. Carrington on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. to Plaintiff's Counsel. (Carrington, Kathleen)
09/26/2022	<u>126</u> (p.643)	Third Party MOTION to RESTRICT document from public access <u>123 (p.636)</u> MOTION for Reconsideration. Filed by Baptist Convention of Maryland/Delaware, Inc.. (Stone, Adam)
09/26/2022	<u>127</u> (p.645)	MEMORANDUM IN SUPPORT re <u>126 (p.643)</u> Third Party MOTION to RESTRICT document from public access <u>123 (p.636)</u> MOTION for Reconsideration. Filed by Baptist Convention of Maryland/Delaware, Inc.. (Stone, Adam)
09/27/2022	<u>128</u> (p.649)	MOTION to Appear Pro Hac Vice ; Attorney Eric W. Gunderson,(Paid \$150 PHV fee; receipt number AMSNDC-2147851) by Baptist Convention of Maryland/Delaware, Inc.. (Attachments: # <u>1 (p.35)</u> Exhibit A Certificate of Good Standing) (Stone, Adam)
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		(Court only) ***Staff notes; PHV Motion <u>128 (p.649)</u> for Eric W. Gunderson verified. (jla)
09/27/2022	<u>129 (p.656)</u>	ORDER granting <u>126 (p.643)</u> Motion to Seal/Restrict Document <u>126 (p.643)</u> Third Party MOTION to RESTRICT document from public access <u>123 (p.636)</u> MOTION for Reconsideration.. Signed by Senior Judge Glen H. Davidson on 9/27/22. (jla)
09/27/2022		(Court only) ***Staff notes: Notified Attorney Adam Stone that COGS is required for District of Columbia re <u>128 (p.649)</u> Application for PHV Admission (cs)
09/27/2022	<u>130 (p.658)</u>	EXHIBIT re <u>128 (p.649)</u> MOTION to Appear Pro Hac Vice ; Attorney Eric W. Gunderson,(Paid \$150 PHV fee; receipt number AMSNDC-2147851) . (Stone, Adam)
09/28/2022	<u>131 (p.659)</u>	ORDER granting <u>128 (p.649)</u> Motion to Appear Pro Hac Vice; Attorney Eric W. Gunderson. Signed by Magistrate Judge David A. Sanders on 9/28/22. (cs)
09/29/2022	<u>132 (p.660)</u>	MEMORANDUM IN OPPOSITION re <u>123 (p.636)</u> MOTION for Reconsideration . (Stone, Adam)
09/30/2022	<u>133 (p.666)</u>	NOTICE OF SERVICE of Expert Report by Scott E. Gant on behalf of Will McRaney to Counsel for Defendant. (Attachments: # <u>1 (p.35)</u> Exhibit Expert Report of Barry Hankins) (Gant, Scott)
09/30/2022	<u>134 (p.701)</u>	NOTICE OF SERVICE of Expert Report by Scott E. Gant on behalf of Will McRaney to Counsel for Defendant. (Attachments: # <u>1 (p.35)</u> Exhibit Expert Report of D.C. Sharp) (Gant, Scott)
09/30/2022	<u>135 (p.749)</u>	RESPONSE in Opposition re <u>123 (p.636)</u> MOTION for Reconsideration filed by Will McRaney. (Gant, Scott)
09/30/2022	<u>136 (p.751)</u>	MEMORANDUM IN SUPPORT re <u>135 (p.749)</u> Response in Opposition to Motion re <u>123 (p.636)</u> AMENDED MOTION for Reconsideration filed by Will McRaney. (Gant, Scott) Modified on 10/2/2022 (jla).
10/02/2022		CLERK'S NOTICE OF CORRECTION re <u>136 (p.751)</u> Memorandum in Support ; All related filings to motion must be linked back to the original motion instead of a responsive pleading. Court staff has made the correction. (jla)
10/05/2022	<u>137 (p.761)</u>	NOTICE OF SERVICE of NAMB's Responses to Plaintiff's Third Set of Request for Production of Documents by Kathleen I. Carrington on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. to Plaintiff's Counsel. (Carrington, Kathleen)
10/05/2022	<u>138 (p.3997)</u>	<p>Transcript of Proceedings Hearing on Discovery Dispute held on 1/26/2022 before Magistrate Judge David A. Sanders. Court Reporter/Transcriber Phyllis K. McLarty, Telephone number 662-369-1017.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have seven (7) days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The Policy is located on our website at www.msnd.uscourts.gov.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction.</p>

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		After that date it may be obtained through PACER.. Redaction Request due 10/26/2022. Redacted Transcript Deadline set for 11/7/2022. Release of Transcript Restriction set for 1/3/2023. (pkm)
10/06/2022	<u>139</u> (p.763)	MOTION for Extension of Time to File Response/Reply by Thomas More Society. (Culp, H.)
10/06/2022	<u>140</u> (p.766)	NOTICE OF SERVICE of Discovery by Scott E. Gant on behalf of Will McRaney to Counsel for Defendant. (Gant, Scott)
10/06/2022	<u>141</u> (p.768)	REPLY to Response to Motion re <u>123</u> (p.636) MOTION for Reconsideration (<i>NAMB's Reply to BCMD's Response 132</i> (p.660)) filed by The North American Mission Board of the Southern Baptist Convention, Inc.. (Carrington, Kathleen)
10/07/2022	<u>142</u> (p.774)	REPLY to Response to Motion re <u>123</u> (p.636) MOTION for Reconsideration (<i>NAMB's Reply to Plaintiff's Response [135, 136]</i>) filed by The North American Mission Board of the Southern Baptist Convention, Inc.. (Attachments: # <u>1</u> (p.35) Exhibit A -- Excerpt from Transcript of 1-26-22 Hearing) (Carrington, Kathleen)
10/12/2022	<u>143</u> (p.788)	NOTICE OF SERVICE of Responses to Plaintiff's Second Set of Interrogatories by Kathleen I. Carrington on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. to Plaintiff. (Carrington, Kathleen)
10/14/2022	<u>144</u> (p.790)	MOTION to Compel <i>Discovery Responses</i> by The North American Mission Board of the Southern Baptist Convention, Inc.. (Attachments: # <u>1</u> (p.35) Exhibit A - Plaintiffs Objections and Responses to Defendants First Set of Interrogatories, # <u>2</u> (p.50) Exhibit B - NAMBs April 4, 2022 Good Faith Letter regarding Plaintiffs Objections and Responses, # <u>3</u> (p.58) Exhibit C - Plaintiffs Amended Objections and Supplemental Responses to Defendants First Set of Interrogatories) (Carrington, Kathleen)
10/14/2022	<u>145</u> (p.839)	MEMORANDUM IN SUPPORT re <u>144</u> (p.790) MOTION to Compel <i>Discovery Responses</i> filed by The North American Mission Board of the Southern Baptist Convention, Inc.. (Carrington, Kathleen)
10/24/2022	<u>146</u> (p.860)	NOTICE OF SERVICE of Discovery by Scott E. Gant on behalf of Will McRaney to Counsel for Defendant. (Gant, Scott)
10/25/2022	<u>147</u> (p.862)	ORDER granting in part and denying in part <u>123</u> (p.636) Motion for Reconsideration filed by The North American Mission Board of the Southern Baptist Convention, Inc. Signed by Magistrate Judge David A. Sanders on 10/25/22. (cs)
10/26/2022	<u>148</u> (p.865)	First MOTION for Leave to File <i>Amended Complaint</i> by Will McRaney. (Attachments: # <u>1</u> (p.35) Exhibit Amended Complaint, # <u>2</u> (p.50) Exhibit Email correspondence with Defendant's Counsel and Court) (Gant, Scott)
10/26/2022	<u>149</u> (p.884)	MEMORANDUM IN SUPPORT re <u>148</u> (p.865) First MOTION for Leave to File <i>Amended Complaint</i> filed by Will McRaney. (Gant, Scott)
10/27/2022	<u>150</u> (p.890)	NOTICE to Take Deposition of Tom Wigginton by Scott E. Gant on behalf of Will McRaney (Gant, Scott)
10/28/2022	<u>151</u> (p.892)	RESPONSE in Opposition re <u>144</u> (p.790) MOTION to Compel <i>Discovery Responses</i> filed by Will McRaney. (Attachments: # <u>1</u> (p.35) Exhibit Plaintiffs Amended Objections and Third Supplemental Responses to Defendants First Set of Interrogatories) (Gant, Scott)

10/28/2022	<u>152</u> (p.913)	MEMORANDUM IN SUPPORT re <u>151</u> (p.892) RESPONSE in Opposition <u>144</u> (p.790) MOTION to Compel <i>Discovery Responses</i> filed by Will McRaney. (Gant, Scott) Modified on 10/31/2022 (jwr).
10/31/2022	<u>153</u> (p.928)	MOTION to Appear Pro Hac Vice ; Attorney Derek Rajavuori,(Paid \$150 PHV fee; receipt number AMSNDC-2163066) by The North American Mission Board of the Southern Baptist Convention, Inc.. (Attachments: # <u>1</u> (p.35) State of Minnesota Supreme Court Certificate of Good Standing, # <u>2</u> (p.50) State Bar of Georgia Certificate of Good Standing) (Carrington, Kathleen)
10/31/2022	<u>154</u> (p.936)	MOTION to Compel <i>Production of Discovery Material from Defendant</i> by Will McRaney. (Attachments: # <u>1</u> (p.35) Exhibit Plaintiffs Second Set of Requests for Production, # <u>2</u> (p.50) Exhibit NAMBs Objections and Responses to Plaintiffs Second Set of Requests for Production, # <u>3</u> (p.58) Exhibit August 12, 2022 Letter from Counsel for NAMB, # <u>4</u> (p.72) Exhibit NAMBs Amended Privilege Log, # <u>5</u> (p.74) Exhibit Plaintiffs First Set of Requests for Production, # <u>6</u> (p.94) Exhibit Danny Wood Deposition Transcript (excerpts), # <u>7</u> (p.96) Exhibit Danny Wood Deposition, Plaintiffs Exhibit 9, # <u>8</u> (p.99) Exhibit Email correspondence between Counsel regarding collection and production of documents from NAMB Trustees, # <u>9</u> (p.104) Exhibit NAMBs Responses to Plaintiffs Third Set of Requests for Production, # <u>10</u> (p.128) Exhibit NAMBs First Set of Requests for Production to Plaintiff, # <u>11</u> (p.130) Exhibit NAMBs First Set of Interrogatories to Plaintiff, # <u>12</u> (p.131) Exhibit NAMB Subpoena to Robert D. (Bob) Rodgers, # <u>13</u> (p.133) Exhibit Email correspondence between Bob Rodgers and Counsel for NAMB, # <u>14</u> (p.140) Exhibit Email correspondence between Counsel regarding NAMBs Work Product assertion, # <u>15</u> (p.143) Exhibit Danny Wood Deposition, Plaintiffs Exhibit 2) (Gant, Scott)
10/31/2022	<u>155</u> (p.1026)	MEMORANDUM IN SUPPORT re <u>154</u> (p.936) MOTION to Compel <i>Production of Discovery Material from Defendant</i> . (Gant, Scott)
11/01/2022		(Court only) ***Staff notes: PHV application of Derek Rajavuori verified (jwr)
11/03/2022	<u>156</u> (p.1039)	Joint MOTION to Extend CMO Deadlines by The North American Mission Board of the Southern Baptist Convention, Inc.. (Carrington, Kathleen)
11/03/2022	<u>157</u> (p.1042)	Consent MOTION for Extension of Time to File Response/Reply as to <u>149</u> (p.884) Memorandum in Support, <u>148</u> (p.865) First MOTION for Leave to File <i>Amended Complaint</i> by The North American Mission Board of the Southern Baptist Convention, Inc.. (Carrington, Kathleen)
11/04/2022	<u>158</u> (p.1045)	REPLY to Response to Motion re <u>144</u> (p.790) MOTION to Compel <i>Discovery Responses</i> filed by The North American Mission Board of the Southern Baptist Convention, Inc.. (Carrington, Kathleen)
11/07/2022	<u>159</u> (p.1055)	ORDER granting <u>157</u> (p.1042) Motion for Extension of Time to File Response/Reply Consent MOTION for Extension of Time to File Response/Reply as to <u>149</u> (p.884) Memorandum in Support, <u>148</u> (p.865) First MOTION for Leave to File <i>Amended Complaint</i> .Responses due by 11/15/2022. Replies due by 11/22/2022. Signed by Magistrate Judge David A. Sanders on 11/7/22. (def)
11/07/2022	<u>160</u> (p.1057)	ORDER granting <u>153</u> (p.928) Motion to Appear Pro Hac Vice; Attorney Derek Rajavuori. Signed by Magistrate Judge David A. Sanders on 11/7/22. (cs)
11/07/2022	<u>161</u> (p.1058)	ORDER denying <u>156</u> (p.1039) Motion to Extend CMO. Signed by Magistrate Judge David A. Sanders on 11/7/22. (cs)

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11/07/2022	<u>162</u> (p.1059)	STIPULATED ORDER REGARDING THIRD-PARTY DOCUMENTS. Signed by Magistrate Judge David A. Sanders on 11/7/22. (cs)
11/07/2022	163	TEXT ONLY ORDER finding as moot <u>139</u> (p.763) Motion for Additional Time by Thomas More Society per agreement of counsel. Signed by Magistrate Judge David A. Sanders on 11/7/22. No document attached. (cs)
11/10/2022	<u>164</u> (p.1061)	Joint MOTION to Continue <i>Trial Date</i> by The North American Mission Board of the Southern Baptist Convention, Inc.. (Carrington, Kathleen)
11/10/2022		(Court only) Motions No Longer Referred: <u>164</u> (p.1061) Joint MOTION to Continue <i>Trial Date</i> (cs)
11/13/2022	<u>165</u> (p.1064)	NOTICE OF SERVICE of Discovery by Scott E. Gant on behalf of Will McRaney to Counsel for Defendant. (Gant, Scott)
11/14/2022	<u>166</u> (p.1066)	ORDER granting <u>164</u> (p.1061) Motion to Continue. Signed by Senior Judge Glen H. Davidson on 11/14/2022. (mga)
11/14/2022	<u>167</u> (p.1068)	NOTICE of Trial: MVD Jury Trial RESET for 6/5/2023 09:30 AM in Oxford Courtroom 1 before Senior Judge Glen H. Davidson. (mga)
11/14/2022	<u>168</u> (p.1069)	RESPONSE in Opposition re <u>154</u> (p.936) MOTION to Compel <i>Production of Discovery Material from Defendant</i> filed by The North American Mission Board of the Southern Baptist Convention, Inc.. (Attachments: # <u>1</u> (p.35) Exhibit A -- Excerpt from Jan. 26, 2022 Hr'g, # <u>2</u> (p.50) Exhibit B -- Dec. 2, 2014 Notice Letter, # <u>3</u> (p.58) Exhibit C -- Strategic Partnership Agreement between NAMB and BCMD) (Carrington, Kathleen)
11/14/2022	<u>169</u> (p.1085)	MEMORANDUM IN SUPPORT re <u>168</u> (p.1069) Response in Opposition to Motion, filed by The North American Mission Board of the Southern Baptist Convention, Inc.. (Carrington, Kathleen)
11/15/2022	<u>170</u> (p.1101)	RESPONSE in Opposition re <u>148</u> (p.865) First MOTION for Leave to File <i>Amended Complaint</i> filed by The North American Mission Board of the Southern Baptist Convention, Inc.. (Attachments: # <u>1</u> (p.35) Exhibit A - NAMBs Responses to Plaintiffs First Request for Production of Documents (served Oct. 20, 2021)) (Carrington, Kathleen)
11/15/2022	<u>171</u> (p.1113)	MEMORANDUM IN SUPPORT re <u>170</u> (p.1101) Response in Opposition to Motion, <u>148</u> (p.865) First MOTION for Leave to File <i>Amended Complaint</i> filed by The North American Mission Board of the Southern Baptist Convention, Inc.. (Carrington, Kathleen)
11/16/2022	<u>172</u> (p.1131)	NOTICE of Attorney Appearance by Dana Gail Dearman on behalf of The Ethics and Religious Liberty Commission for the Southern Baptist Convention (Dearman, Dana)
11/16/2022	<u>173</u> (p.1133)	MOTION to Appear Pro Hac Vice ; Attorney Eric G. Osborne,(Paid \$150 PHV fee; receipt number AMSNDC-2169778) by The Ethics and Religious Liberty Commission for the Southern Baptist Convention. (Attachments: # <u>1</u> (p.35) Exhibit TN Certificate of Good Standing, # <u>2</u> (p.50) Exhibit TX Certificate of Good Standing, # <u>3</u> (p.58) Exhibit DC Certificate of Good Standing) (Dearman, Dana)
11/17/2022	<u>174</u> (p.1142)	ORDER RESETTING DEADLINES. Discovery due by 2/24/2023. Motions due by 3/10/2023. Final Pretrial Conference set for 5/2/2023 10:00 AM in Oxford Visiting Magistrate Judge Chambers before Magistrate Judge David A. Sanders. Signed by

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		Magistrate Judge David A. Sanders on 11/17/22. (cs)
11/17/2022	<u>175</u> (p.1143)	REPLY to Response to Motion re <u>154 (p.936)</u> MOTION to Compel <i>Production of Discovery Material from Defendant</i> filed by Will McRaney. (Attachments: # <u>1 (p.35)</u> Exhibit NAMB's Initial Disclosures, # <u>2 (p.50)</u> Exhibit Excerpts from Tom Wigginton Deposition Transcript, # <u>3 (p.58)</u> Exhibit NAMB's 11.2.22 Subpoena to BCMD) (Gant, Scott)
11/17/2022	<u>176</u> (p.1208)	REPLY to Response to Motion re <u>148 (p.865)</u> First MOTION for Leave to File <i>Amended Complaint</i> filed by Will McRaney. (Attachments: # <u>1 (p.35)</u> Exhibit Plaintiff's Supplemental Pleading, # <u>2 (p.50)</u> Exhibit Plaintiff's Amended Initial Disclosures) (Gant, Scott)
11/18/2022	<u>177</u> (p.1236)	MOTION to Quash by Baptist Convention of Maryland/Delaware, Inc.. (Attachments: # <u>1 (p.35)</u> Exhibit A, # <u>2 (p.50)</u> Exhibit B, # <u>3 (p.58)</u> Exhibit C) (Gunderson, Eric)
11/18/2022	<u>178</u> (p.1248)	MEMORANDUM IN SUPPORT re <u>177 (p.1236)</u> MOTION to Quash filed by Baptist Convention of Maryland/Delaware, Inc.. (Gunderson, Eric)
11/21/2022	<u>179</u> (p.1258)	AMENDED / SUPPLEMENT TO DOCUMENT Amendment to <u>171 (p.1113)</u> Memorandum in Support <i>of NAMB's Response in Opposition to Plaintiff's Motion for Leave to File Amended Complaint (Correction)</i> . (Carrington, Kathleen)
11/22/2022	<u>180</u> (p.1276)	NOTICE of Hearing on <u>148 (p.865)</u> First MOTION for Leave to File <i>Amended Complaint</i> , <u>144 (p.790)</u> MOTION to Compel <i>Discovery Responses</i> , <u>154 (p.936)</u> MOTION to Compel <i>Production of Discovery Material from Defendant</i> : Zoom Motion Hearing set for 11/29/2022 10:00 AM in Amory Courtroom 1 Video Conference before Magistrate Judge David A. Sanders. (cs)
11/22/2022	<u>181</u> (p.1277)	NOTICE of Hearing on Motion <u>148 (p.865)</u> First MOTION for Leave to File <i>Amended Complaint</i> , <u>144 (p.790)</u> MOTION to Compel <i>Discovery Responses</i> , <u>154 (p.936)</u> MOTION to Compel <i>Production of Discovery Material from Defendant</i> : Zoom Motion Hearing reset for 12/5/2022 11:00 AM before Magistrate Judge David A. Sanders. (cs)
11/22/2022		(Court only) ***Staff notes: PHV Motion <u>173 (p.1133)</u> for Eric G. Osborne VERIFIED. (edc)
11/22/2022	<u>182</u> (p.1278)	ORDER granting <u>173 (p.1133)</u> Motion to Appear Pro Hac Vice; Attorney Eric G. Osborne. Signed by Magistrate Judge David A. Sanders on 11/22/22. (cs)
12/02/2022	<u>183</u> (p.1279)	RESPONSE to Motion re <u>177 (p.1236)</u> MOTION to Quash filed by The North American Mission Board of the Southern Baptist Convention, Inc.. (Carrington, Kathleen)
12/02/2022	<u>184</u> (p.1281)	MEMORANDUM IN SUPPORT re <u>183 (p.1279)</u> Response to Motion, <u>177 (p.1236)</u> MOTION to Quash <i>of NAMB's Response to BCMD's Motion to Quash</i> filed by The North American Mission Board of the Southern Baptist Convention, Inc.. (Carrington, Kathleen)
12/02/2022	<u>185</u> (p.1296)	RESPONSE in Opposition re <u>177 (p.1236)</u> MOTION to Quash filed by Will McRaney. (Gant, Scott)
12/02/2022	<u>186</u> (p.1298)	MEMORANDUM IN SUPPORT re <u>185 (p.1296)</u> Response in Opposition to Motion <u>177 (p.1236)</u> . (Gant, Scott)

12/05/2022		CLERK'S NOTICE re <u>185 (p.1296)</u> Response in Opposition to Motion, <u>186 (p.1298)</u> Memorandum in Support. Attorney to include signature of local counsel on all filings as required by L.U.Civ.R. 83.1(d)3. Attorney to refile Response and Memorandum with local counsel signature. (cb)
12/05/2022	<u>187 (p.1303)</u>	RESPONSE in Opposition re <u>177 (p.1236)</u> MOTION to Quash filed by Will McRaney. (Gant, Scott)
12/05/2022	<u>188 (p.1305)</u>	MEMORANDUM IN SUPPORT re <u>187 (p.1303)</u> Response in Opposition to Motion <u>177 (p.1236)</u> filed by Will McRaney. (Gant, Scott)
12/06/2022	<u>189 (p.1310)</u>	Minute Entry for proceedings held before Magistrate Judge David A. Sanders: Motion Hearing held on 12/5/2022 re <u>154 (p.936)</u> MOTION to Compel <i>Production of Discovery Material from Defendant</i> filed by Will McRaney, <u>144 (p.790)</u> MOTION to Compel <i>Discovery Responses</i> filed by The North American Mission Board of the Southern Baptist Convention, Inc., <u>148 (p.865)</u> First MOTION for Leave to File <i>Amended Complaint</i> filed by Will McRaney *Audio Recorded during Proceeding. (Court Reporter digital.) (cs) Modified on 12/7/2022 (cb).
12/07/2022	<u>190 (p.1311)</u>	ORDER granting in part and denying in part <u>144 (p.790)</u> Motion to Compel; granting <u>148 (p.865)</u> Motion for Leave to File Supplemental Pleading; granting in part and denying in part <u>154 (p.936)</u> Motion to Compel. Signed by Magistrate Judge David A. Sanders on 12/7/22. (cs)
12/07/2022	<u>191 (p.1316)</u>	AMENDED COMPLAINT <i>Plaintiff's Supplemental Pleading</i> against The North American Mission Board of the Southern Baptist Convention, Inc., Jury Demand, filed by Will McRaney. (Gant, Scott)
12/09/2022	<u>192 (p.1329)</u>	REPLY to Response to Motion re <u>177 (p.1236)</u> MOTION to Quash <i>as to NAMB's Response to Motion</i> filed by Baptist Convention of Maryland/Delaware, Inc.. (Gunderson, Eric)
12/09/2022	<u>193 (p.1337)</u>	REPLY to Response to Motion re <u>177 (p.1236)</u> MOTION to Quash <i>as to McRaney's Response to Motion</i> filed by Baptist Convention of Maryland/Delaware, Inc.. (Gunderson, Eric)
12/12/2022	<u>194 (p.1348)</u>	Joint MOTION entry of stipulated order regarding confidentiality of documents to be produced by ERLC by Will McRaney, The Ethics and Religious Liberty Commission for the Southern Baptist Convention. (Attachments: # <u>1 (p.35)</u> Exhibit proposed stipulated order, # <u>2 (p.50)</u> Exhibit Exhibit A (Acknowledgement) to Exhibit 1 to Motion (proposed Stipulated Order)) (Dearman, Dana)
12/13/2022		CLERK'S NOTICE re <u>194 (p.1348)</u> Joint MOTION entry of stipulated order regarding confidentiality of documents to be produced by ERLC . Attorney to email proposed order to chambers as required by Section 5(B) of the Administrative Procedures for Electronic Case Filing (cb)
12/13/2022	<u>195 (p.1357)</u>	Stipulated Order Regarding Confidentiality of Third-Party Documents Produced by the ERLC. Signed by Magistrate Judge David A. Sanders on 12/13/22. (cs)
12/16/2022	<u>196 (p.1361)</u>	NOTICE OF SERVICE of Defendants' Responses to Plaintiffs' Third Set of Interrogatories and Fourth Set of Requests for Production of Documents by Kathleen I. Carrington on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. to Plaintiff. (Carrington, Kathleen)
12/21/2022	<u>197</u>	ORDER denying <u>177 (p.1236)</u> Motion to Quash. Signed by Magistrate Judge David

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	<u>(p.1363)</u>	A. Sanders on 12/21/22. (cs)
12/21/2022	<u>198</u> <u>(p.1365)</u>	ANSWER to <u>191</u> (p.1316) Amended Complaint by The North American Mission Board of the Southern Baptist Convention, Inc.. (Carrington, Kathleen)
12/22/2022	<u>199</u> <u>(p.1379)</u>	ORDER ON DISCOVERY ISSUE. Signed by Magistrate Judge David A. Sanders on 12/22/22. (cs)
12/22/2022	<u>200</u> <u>(p.1382)</u>	NOTICE OF SERVICE of documents responsive to subpoena by Dana Gail Dearman on behalf of The Ethics and Religious Liberty Commission for the Southern Baptist Convention to Plaintiff's attorney, Scott Gant. (Dearman, Dana)
01/04/2023	<u>201</u> <u>(p.1384)</u>	Joint MOTION Entry of Stipulated Confidentiality Order by The North American Mission Board of the Southern Baptist Convention, Inc.. (Attachments: # <u>1</u> (p.35) Exhibit 1 - Proposed Stipulated Confidentiality Order) (Carrington, Kathleen)
01/04/2023	<u>202</u> <u>(p.1393)</u>	NOTICE OF SERVICE of Defendant's Second Supplemental Responses to Plaintiff's Second Set of Requests for Production of Documents by Kathleen I. Carrington on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. to Plaintiff. (Carrington, Kathleen)
01/05/2023	<u>203</u> <u>(p.1395)</u>	Stipulated Confidentiality Order. Signed by Magistrate Judge David A. Sanders on 1/5/23. (cs)
01/13/2023	204	TEXT ONLY ORDER GRANTING <i>ore tenus</i> motion for extension of deadlines. Discovery due by 3/3/2023. Motions due by 3/17/2023. No further order will issue. No document attached. Signed by Magistrate Judge David A. Sanders on 1/13/23. (cs)
01/13/2023	205	TEXT ONLY ORDER RESCINDING 204 TEXT ONLY ORDER GRANTING <i>ore tenus</i> motion for extension of deadlines. Discovery due by 2/24/2023. Motions due by 3/10/2023. No further order will issue. No document attached. Signed by Magistrate Judge David A. Sanders on 1/13/23. (cs)
01/17/2023	206	TEXT ONLY ORDER GRANTING <i>ore tenus</i> motion for extension of deadlines. Discovery due by 3/3/2023. Motions due by 3/17/2023. No further order will issue. No document attached. Signed by Magistrate Judge David A. Sanders on 1/17/23. (cs)
01/19/2023	<u>207</u> <u>(p.1400)</u>	NOTICE to Take Deposition of Rob Paul by Kathleen I. Carrington on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. (Carrington, Kathleen)
01/19/2023	<u>208</u> <u>(p.1403)</u>	NOTICE to Take Deposition of Sandy McRaney by Kathleen I. Carrington on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. (Carrington, Kathleen)
01/19/2023	<u>209</u> <u>(p.1406)</u>	NOTICE to Take Deposition of Will McRaney by Kathleen I. Carrington on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. (Carrington, Kathleen)
01/19/2023	<u>210</u> <u>(p.1409)</u>	NOTICE to Take Deposition of Jeff Christopherson by Kathleen I. Carrington on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. (Carrington, Kathleen)
01/20/2023	<u>211</u> <u>(p.1412)</u>	NOTICE OF SERVICE of NAMB's Supplemental Responses to Plaintiff's Requests for Production by Derek Rajavuori on behalf of The North American Mission Board

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		of the Southern Baptist Convention, Inc. to Plaintiff. (Rajavuori, Derek)
01/21/2023	<u>212</u> (p.1414)	NOTICE OF SERVICE of Discovery by Scott E. Gant on behalf of Will McRaney to Counsel for Defendant. (Gant, Scott)
02/01/2023	<u>213</u> (p.1416)	NOTICE OF SERVICE of NAMB's Second Set of Interrogatories and Second Set of Requests for Production to Plaintiff by Derek Rajavuori on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. to Plaintiff. (Rajavuori, Derek)
02/01/2023	<u>214</u> (p.1418)	NOTICE OF SERVICE of Discovery by Scott E. Gant on behalf of Will McRaney to Counsel for Defendant. (Gant, Scott)
02/05/2023	<u>215</u> (p.1420)	NOTICE to Take Deposition of Steve Davis by Scott E. Gant on behalf of Will McRaney (Gant, Scott)
02/05/2023	<u>216</u> (p.1422)	NOTICE to Take Deposition of Danny de Armas by Scott E. Gant on behalf of Will McRaney (Gant, Scott)
02/05/2023	<u>217</u> (p.1424)	NOTICE to Take Deposition of Kevin Ezell by Scott E. Gant on behalf of Will McRaney (Gant, Scott)
02/05/2023	<u>218</u> (p.1426)	NOTICE to Take Deposition of Mike Ebert by Scott E. Gant on behalf of Will McRaney (Gant, Scott)
02/09/2023	<u>219</u> (p.1428)	NOTICE to Take Deposition of Danny de Armas by Scott E. Gant on behalf of Will McRaney (Gant, Scott)
02/13/2023	<u>220</u> (p.1430)	NOTICE to Take Deposition of Defendant by Scott E. Gant on behalf of Will McRaney (Gant, Scott)
02/14/2023	<u>221</u> (p.1439)	DISREGARD ENTRY -- REFILED AT DOC 224 NOTICE OF SERVICE of NAMB's Supplemental Responses to Plaintiff's Third Set of Interrogatories by Derek Rajavuori on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. to Plaintiff. (Rajavuori, Derek) Modified on 6/30/2023 (jla).
02/14/2023	<u>222</u> (p.1441)	NOTICE to Take Deposition of Rob Paul by Kathleen I. Carrington on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. (Carrington, Kathleen)
02/14/2023	<u>223</u> (p.1444)	NOTICE to Take Deposition of Kevin Ezell by Scott E. Gant on behalf of Will McRaney (Gant, Scott)
02/15/2023		CLERK'S NOTICE re <u>221</u> (p.1439) Notice of Service; Attorney to include signature of local counsel on all filings as required by L.U.Civ.R. 83.1(d)3. Attorney to refile with local counsel signature. (jla)
02/15/2023	<u>224</u> (p.1446)	NOTICE OF SERVICE of Defendant's Supplemental Responses to Plaintiff's Third Set of Interrogatories by Derek Rajavuori on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. to Plaintiff. (Rajavuori, Derek)
02/15/2023	<u>225</u> (p.1448)	MOTION to Appear Pro Hac Vice ; Attorney Timothy Jeffrey Perla.(Paid \$150 PHV fee; receipt number AMSNDC-2206681) by The North American Mission Board of the Southern Baptist Convention, Inc.. (Carrington, Kathleen) (Main Document 225 replaced with flattened pdf version of same on 2/15/2023) (jla).
02/15/2023		(Court only) ***Staff notes; PHV Motion <u>225</u> (p.1448) for Timothy Jeffrey Perla verified. (jla)

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02/15/2023	<u>226</u> (p.1456)	ORDER granting <u>225 (p.1448)</u> Motion to Appear Pro Hac Vice; Attorney Timothy Jeffrey Perla. Signed by Magistrate Judge David A. Sanders on 2/15/23. (cs)
02/20/2023	<u>227</u> (p.1457)	MOTION to Appear Pro Hac Vice ; Attorney Joshua A. Vittor,(Paid \$150 PHV fee; receipt number AMSNDC-2208312) by The North American Mission Board of the Southern Baptist Convention, Inc.. (Carrington, Kathleen) (Main Document 227 replaced with flattened pdf version of same on 2/21/2023) (jla).
02/21/2023		(Court only) ***Staff notes; PHV Motion <u>227 (p.1457)</u> for Joshua A. Vittor verified. (jla)
02/21/2023	<u>228</u> (p.1465)	ORDER granting <u>227 (p.1457)</u> Motion to Appear Pro Hac Vice; Attorney Joshua A. Vittor. Signed by Magistrate Judge David A. Sanders on 2/21/23. (cs)
02/21/2023	<u>229</u> (p.1466)	NOTICE to Take Deposition of Rob Paul by Scott E. Gant on behalf of Will McRaney (Gant, Scott)
02/22/2023		TEXT ONLY NOTICE of Status Conference: Telephonic Status Conference set for 2/23/2023 at 02:00 PM before Magistrate Judge David A. Sanders. Dial into the courts conference line at 877-336-1839, access code 6893215. No document attached. (cs)
02/23/2023	<u>230</u> (p.1468)	Minute Entry for proceedings held before Magistrate Judge David A. Sanders: Status Conference held on 2/23/2023. (cs)
02/23/2023	<u>231</u> (p.1469)	ORDER GRANTING PROTECTIVE ORDER. Signed by Magistrate Judge David A. Sanders on 2/23/23. (cs)
02/24/2023	<u>232</u> (p.1471)	Emergency MOTION to Continue <i>Trial Date - Urgent and Necessitous Motion filed Pursuant to Local Rule 7(B)(8)</i> by The North American Mission Board of the Southern Baptist Convention, Inc.. (Attachments: # <u>1 (p.35)</u> Exhibit A - Amended Initial Disclosures, # <u>2 (p.50)</u> Exhibit B - Declaration of Bill Barker, # <u>3 (p.58)</u> Exhibit C - Contemporaneous email from Bill Warren) (Carrington, Kathleen)
02/24/2023		(Court only) Motions No Longer Referred: <u>232 (p.1471)</u> Emergency MOTION to Continue <i>Trial Date - Urgent and Necessitous Motion filed Pursuant to Local Rule 7(B)(8)</i> (cs)
03/01/2023	<u>233</u> (p.1497)	NOTICE OF SERVICE of Amended Initial Disclosures by Kathleen I. Carrington on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. to Plaintiff. (Carrington, Kathleen)
03/02/2023	<u>234</u> (p.1499)	NOTICE OF SERVICE of NAMB's Responses to Plaintiff's Fourth Set of Interrogatories by Kathleen I. Carrington on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. to Plaintiff. (Carrington, Kathleen)
03/02/2023	<u>235</u> (p.1501)	Supplement to Motion re <u>232 (p.1471)</u> Emergency MOTION to Continue <i>Trial Date - Urgent and Necessitous Motion filed Pursuant to Local Rule 7(B)(8)</i> filed by The North American Mission Board of the Southern Baptist Convention, Inc.. (Attachments: # <u>1 (p.35)</u> Exhibit Declaration of Joni B. Hannigan) (Vittor, Joshua)
03/03/2023	<u>236</u> (p.1603)	ORDER granting <u>232 (p.1471)</u> Motion to Continue. Signed by Senior Judge Glen H. Davidson on 3/3/2023. (mga)
03/03/2023	<u>237</u> (p.1605)	NOTICE of Trial: MVD Jury Trial RESET for 8/7/2023 09:30 AM in Oxford Courtroom 1 before Senior Judge Glen H. Davidson. (mga)

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03/03/2023	<u>238</u> (p.1606)	MOTION to Withdraw as Attorney <i>with Client's Consent</i> by The North American Mission Board of the Southern Baptist Convention, Inc.. (Attachments: # <u>1</u> (p.35) Exhibit Proposed Order Granting Motion for Withdrawal) (Rajavuori, Derek)
03/03/2023	<u>239</u> (p.1611)	NOTICE OF SERVICE of NAMB's Objections and Responses to Plaintiffs Fifth Set of Requests for Production by Joshua Aisen Vittor on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. to Plaintiff. (Vittor, Joshua)
03/06/2023	<u>240</u> (p.1613)	NOTICE of Conference: Final Pretrial Conference reset for 6/28/2023 10:00 AM in Oxford Visiting Magistrate Judge Chambers before Magistrate Judge David A. Sanders. Proposed Pretrial Order due by 6/21/23. (cs)
03/06/2023	<u>241</u> (p.1614)	ORDER granting <u>238</u> (p.1606) Motion to Withdraw as Attorney. Attorney Derek Rajavuori terminated. Signed by Magistrate Judge David A. Sanders on 3/6/23. (cs)
03/06/2023	<u>242</u> (p.1615)	NOTICE OF SERVICE of Discovery Responses by Scott E. Gant on behalf of Will McRaney to Counsel for Defendant. (Gant, Scott)
03/14/2023	<u>243</u> (p.1617)	Joint MOTION to Continue <i>Trial Date</i> by The North American Mission Board of the Southern Baptist Convention, Inc.. (Vittor, Joshua)
03/15/2023		(Court only) Motions No Longer Referred: <u>243</u> (p.1617) Joint MOTION to Continue <i>Trial Date</i> (jla)
03/17/2023	<u>244</u> (p.1620)	BRIEF <i>in Support of The North American Mission Board of the Southern Baptist Convention, Inc.'s Request for Leave to Depose Plaintiff's Experts</i> . (Vittor, Joshua)
03/17/2023	<u>245</u> (p.1625)	BRIEF <i>IN RESPONSE TO DEFENDANT'S REQUEST TO DEPOSE PLAINTIFF'S EXPERTS AFTER THE DISCOVERY DEADLINE</i> . (Attachments: # <u>1</u> (p.35) Exhibit Email with counsel for NAMB, # <u>2</u> (p.50) Exhibit Document Produced by NAMB) (Gant, Scott)
03/17/2023	<u>247</u> (p.1638)	ORDER granting <u>243</u> (p.1617) Motion to Continue Trial. Signed by Senior Judge Glen H. Davidson on 3/17/2023. (mga) (Entered: 03/20/2023)
03/20/2023	<u>246</u> (p.1636)	Stipulated ORDER Modifying Case Management Order. Limited discovery specified herein due by 5/4/2023. Motions due by 5/18/2023. Signed by Magistrate Judge David A. Sanders on 3/20/23. (cs)
03/20/2023	<u>248</u> (p.1639)	NOTICE of Trial: MVD Jury Trial RESET for 9/18/2023 09:30 AM in Oxford Courtroom 1 before Senior Judge Glen H. Davidson. (mga)
03/20/2023	<u>249</u> (p.1640)	NOTICE of Conference: Final Pretrial Conference reset for 8/14/2023 at 10:00 AM in Oxford Visiting Magistrate Judge Chambers before Magistrate Judge David A. Sanders. Proposed Pretrial Order due by 8/7/23; see Docket Entry <u>102</u> (p.584) for detailed instructions. (cs)
03/22/2023		TEXT ONLY NOTICE resetting Conference: Zoom Final Pretrial Conference reset for 8/18/2023 at 10:00 AM before Magistrate Judge David A. Sanders. Zoom link will be emailed to counsel. Proposed Pretrial Order due by 8/11/23. (No document attached.) (cs)
03/24/2023	<u>250</u> (p.1641)	ORDER Permitting Expert Depositions. Signed by Magistrate Judge David A. Sanders on 3/24/23. (cs)
03/29/2023	<u>251</u> (p.1644)	MOTION to Appear Pro Hac Vice ; Attorney Matthew T. Martens,(Paid \$150 PHV fee; receipt number AMSNDC-2224420) by The North American Mission Board of

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		the Southern Baptist Convention, Inc.. (Carrington, Kathleen)
03/29/2023	<u>252</u> (p.1655)	NOTICE to Take Deposition of Barry Hankins by Kathleen I. Carrington on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. (Carrington, Kathleen)
03/29/2023	<u>253</u> (p.1658)	NOTICE to Take Deposition of D.C. Sharp by Kathleen I. Carrington on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. (Carrington, Kathleen)
03/30/2023		(Court only) ***Staff notes: PHV application of Matthew T. Martens verified. (jwr)
03/30/2023	<u>254</u> (p.1661)	ORDER granting <u>251</u> (p.1644) Motion to Appear Pro Hac Vice; Attorney Matthew T. Martens. Signed by Magistrate Judge David A. Sanders on 4/30/23. (cs)
03/30/2023	<u>255</u> (p.1662)	NOTICE to Take Deposition of Bill Barker by Kathleen I. Carrington on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. (Carrington, Kathleen)
03/30/2023	<u>256</u> (p.1665)	NOTICE to Take Deposition of Joni B. Hannigan by Kathleen I. Carrington on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. (Carrington, Kathleen)
04/05/2023	<u>257</u> (p.1668)	Consent MOTION for Protective Order <i>Regarding Confidentiality of Third-Party Documents Produced by BCMD</i> by Baptist Convention of Maryland/Delaware, Inc.. (Attachments: # <u>1</u> (p.35) Exhibit) (Gunderson, Eric)
04/06/2023	<u>258</u> (p.1676)	Stipulated Order Regarding Confidentiality of Third-Party Documents Produced by BCMD. Signed by Magistrate Judge David A. Sanders on 4/6/23. (cs)
04/08/2023	<u>259</u> (p.1681)	NOTICE OF SERVICE of Notice of Discovery by Scott E. Gant on behalf of Will McRaney to Counsel for Defendant. (Gant, Scott)
04/19/2023	<u>260</u> (p.1683)	NOTICE to Take Deposition of Bill Warren by Kathleen I. Carrington on behalf of The North American Mission Board of the Southern Baptist Convention, Inc. (Carrington, Kathleen)
04/24/2023	<u>261</u> (p.1686)	NOTICE OF SERVICE of Notice of Deposition Subpoena to Bill Warren by Scott E. Gant on behalf of Will McRaney to Counsel for Defendant. (Gant, Scott) Modified on 4/25/2023 (jla).
05/01/2023	<u>262</u> (p.1687)	NOTICE of Attorney Appearance by Clarence Webster, III on behalf of Baptist Convention of Maryland/Delaware, Inc. (Webster, Clarence)
05/18/2023	<u>263</u> (p.1689)	MOTION for Summary Judgment by The North American Mission Board of the Southern Baptist Convention, Inc.. (Attachments: # <u>1</u> (p.35) Declaration of Timothy Perla in Support of, # <u>2</u> (p.50) Exhibit 1 - Strategic Partnership Agreement Executed Between NAMB and the Baptist Convention for Maryland/Delaware ("BCMD"), # <u>3</u> (p.58) Exhibit 2 - Excerpts of March 2, 2023 Deposition Transcript of Kevin Ezell, # <u>4</u> (p.72) Exhibit 3 - May 4, 2023 Deposition Transcript of William Warren, # <u>5</u> (p.74) Exhibit 4 - January 14, 2015 Letter from BCMD to Kevin Ezell, # <u>6</u> (p.94) Exhibit 5 - February 3, 2015 Email from Jeff Christopherson to Steve Davis and Attached Document, # <u>7</u> (p.96) Exhibit 6 - November 14, 2014 Email Chain Between Jeff Christopherson and Will McRaney, # <u>8</u> (p.99) Exhibit 7 - August 25, 2014 email from Jeff Christopherson to Will McRaney, # <u>9</u> (p.104) Exhibit 8 - November 18, 2014 email from Jeff Christopherson to Will McRaney, # <u>10</u> (p.128) Exhibit 9 - November 20, 2014 Email from Kevin Ezell to Will McRaney, # <u>11</u>

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		<p>(p.130) Exhibit 10 - December 2, 2014 Letter from NAMB to BCMD, # <u>12 (p.131)</u> Exhibit 11 - February 6, 2015 Resolution of Support, # <u>13 (p.133)</u> Exhibit 12 - March 18, 2015 Email from Steve Davis to Will McRaney, # <u>14 (p.140)</u> Exhibit 13 (Access restricted pursuant to Order <u>269 (p.2930)</u> - June 8, 2015 BCMD General Mission Board Meeting Minutes, # <u>15 (p.143)</u> Exhibit 14 - June 4, 2016 email chain between Michael Trammell and William Warren, # <u>16 (p.144)</u> Exhibit 15 - August 26, 2015 Email Chain Between William Warren and Will McRaney, # <u>17 (p.145)</u> Exhibit 16 - May 19, 2016 NAMB Trustee Information Conference Call Minutes, # <u>18 (p.150)</u> Exhibit 17 - Separation Agreement and Release, # <u>19 (p.151)</u> Exhibit 18 - February 4, 2016 Email from Will McRaney to NAMB Trustees and Attached Letter, # <u>20 (p.165)</u> Exhibit 19 - June 13, 2016 Email from Bill Ingram to Rick Curtis and Attached Letter and Document, # <u>21 (p.168)</u> Exhibit 20 - February 5, 2016 Tom Wigginton Outlook Item and Attached Photograph, # <u>22 (p.179)</u> Exhibit 21 - Excerpts of February 28, 2023 Deposition Transcript of Rob Paul, # <u>23 (p.180)</u> Exhibit 22 - Exhibit D2 from February 28, 2023 Deposition of Rob Paul, # <u>24 (p.184)</u> Exhibit 23 - Will McRaney Facebook and Twitter Post Samples, # <u>25 (p.187)</u> Exhibit 24 - April 25, 2023 Deposition Transcript of Barry Hankins, # <u>26 (p.188)</u> Exhibit 25 - September 19, 2014 Email from Ron Blankenship to Jeff Christopherson, # <u>27 (p.191)</u> Exhibit 26 - November 26, 2014 Letter from Will McRaney to Kevin Ezell, # <u>28 (p.192)</u> Exhibit 27 - November 8, 2015 Email Chain Between William Warren and Thomas Winborn, # <u>29 (p.194)</u> Exhibit 28 - September 9, 2015 Email from Mark Dooley to Will McRaney, # <u>30 (p.196)</u> Exhibit 29 - Affidavit of Jimmy Crosby, # <u>31 (p.202)</u> Exhibit 30 - Affidavit of Scott Thomas, # <u>32 (p.207)</u> Exhibit 31 - December 9, 2014 NAMB Executive Committee Conference Call Minutes, # <u>33 (p.208)</u> Exhibit 32 - August 19, 2014 Email Chain Between Kevin Ezell and Aaron Coe, # <u>34 (p.210)</u> Exhibit 33 - October 10, 2014 Email from Will McRaney to Tom Stolle, # <u>35 (p.212)</u> Exhibit 34 - Excerpts of November 3, 2022 Deposition Transcript of Tom Wigginton, # <u>36 (p.214)</u> Exhibit 35 - Excerpts of May 1, 2023 Deposition Transcript of William Barker, # <u>37 (p.216)</u> Exhibit 36 - September 13, 2015 Email from Mark Dooley to Will McRaney, # <u>38 (p.237)</u> Exhibit 37 - Excerpts of February 16, 2023 Deposition Transcript of Danny De Armas, # <u>39 (p.248)</u> Exhibit 38 - November 18, 2014 Email from Will McRaney to Jeff Christopherson, # <u>40 (p.250)</u> Exhibit 39 - Plaintiff's Amended Objections and Fifth Supplemental Responses to NAMB's First Set of Interrogatories, # <u>41 (p.254)</u> Exhibit 40 - Excerpts of February 8, 2023 Deposition Transcript of Will McRaney (Perla, Timothy) Modified on 5/24/2023 (jtm).</p>
05/18/2023	<u>264 (p.4102)</u>	MEMORANDUM IN SUPPORT re <u>263 (p.1689)</u> MOTION for Summary Judgment filed by The North American Mission Board of the Southern Baptist Convention, Inc.. (Perla, Timothy) Access restricted pursuant to Order <u>269 (p.2930)</u> (jtm).
05/18/2023	<u>265 (p.2831)</u>	MOTION for Summary Judgment by Will McRaney. (Attachments: # <u>1 (p.35)</u> Affidavit Declaration of Scott E. Gant, # <u>2 (p.50)</u> Exhibit Exhibit A - NAMBs Responses to Plaintiffs Second Set of Interrogatories, # <u>3 (p.58)</u> Exhibit Exhibit B - Excerpts from NAMBs 30(b)(6) Deposition Transcript and accompanying Exhibits 20, 21 and 22, # <u>4 (p.72)</u> Exhibit Exhibit C - Excerpts from Carlos Ferrer Deposition Transcript and accompanying Exhibit 14, # <u>5 (p.74)</u> Exhibit Exhibit D - Excerpts from Steve Davis Deposition Transcript, # <u>6 (p.94)</u> Exhibit Exhibit E - Exhibits 30 and 31 from Mike Ebert Deposition, # <u>7 (p.96)</u> Exhibit Exhibit F - Excerpts from William Warren Deposition Transcript, # <u>8 (p.99)</u> Exhibit Exhibit G - Excerpts from Danny de Armas Deposition Transcript and accompanying Exhibit 5) (Gant, Scott)
05/18/2023	<u>266 (p.2887)</u>	MEMORANDUM IN SUPPORT re <u>265 (p.2831)</u> MOTION for Summary Judgment . (Gant, Scott)

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05/19/2023	<u>267</u> (p.2907)	Emergency MOTION to RESTRICT document from public access re <u>263 (p.1689)</u> MOTION for Summary Judgment. Filed by Baptist Convention of Maryland/Delaware, Inc.. (Attachments: # <u>1 (p.35)</u> Exhibit A, # <u>2 (p.50)</u> Exhibit B - Proposed Order) (Gunderson, Eric) Modified to relate to originating motion on 6/29/2023 (jla).
05/19/2023	<u>268</u> (p.2923)	MEMORANDUM IN SUPPORT re <u>267 (p.2907)</u> Emergency MOTION to RESTRICT document from public access. re <u>263 (p.1689)</u> MOTION for Summary Judgment filed by Baptist Convention of Maryland/Delaware, Inc.. (Gunderson, Eric) Modified to relate to originating motion on 6/29/2023 (jla).
05/19/2023		(Court only) Motions No Longer Referred: <u>267 (p.2907)</u> Emergency MOTION to RESTRICT document from public access. Filed (cs)
05/22/2023		CLERK'S NOTICE re <u>267 (p.2907)</u> Emergency MOTION to RESTRICT document from public access: Attorney to email proposed order to chambers as required by Section 5(B) of the Administrative Procedures for Electronic Case Filing. (jwr)
05/23/2023	<u>269</u> (p.2930)	ORDER granting <u>267 (p.2907)</u> Emergency MOTION to RESTRICT document from public access Exhibit 13 re <u>263 (p.1689)</u> MOTION for Summary Judgment . Signed by Senior Judge Glen H. Davidson on 5/23/2023. (jtm)
06/01/2023	<u>270</u> (p.2932)	RESPONSE in Opposition re <u>265 (p.2831)</u> MOTION for Summary Judgment filed by The North American Mission Board of the Southern Baptist Convention, Inc.. (Perla, Timothy)
06/01/2023	<u>271</u> (p.2935)	MEMORANDUM IN SUPPORT re <u>270 (p.2932)</u> Response in Opposition to Motion, <u>265 (p.2831)</u> MOTION for Summary Judgment . (Perla, Timothy)
06/01/2023	<u>272</u> (p.2951)	RESPONSE in Opposition re <u>263 (p.1689)</u> MOTION for Summary Judgment filed by Will McRaney. (Attachments: # <u>1 (p.35)</u> Affidavit Declaration of Scott E. Gant, # <u>2 (p.50)</u> Exhibit Exhibit H - Ferrer Depo Excerpts, # <u>3 (p.58)</u> Exhibit Exhibit I - Davis Depo Excerpts, # <u>4 (p.72)</u> Exhibit Exhibit J - de Armas Dep Excerpts, # <u>5 (p.74)</u> Exhibit Exhibit K - Ezell Dep Excerpts, # <u>6 (p.94)</u> Exhibit Exhibit L - Barker Dep Excerpts, # <u>7 (p.96)</u> Exhibit Exhibit M - Wood Dep Excerpts, # <u>8 (p.99)</u> Exhibit Exhibit N - NAMB 30(b)(6) Transcript, # <u>9 (p.104)</u> Exhibit Exhibit O - Wigginton Dep Excerpts, # <u>10 (p.128)</u> Exhibit Exhibit P - S. McRaney Dep Excerpts, # <u>11 (p.130)</u> Exhibit Exhibit Q - Paul Dep Excerpts, # <u>12 (p.131)</u> Exhibit Exhibit R - Scott Declaration, # <u>13 (p.133)</u> Exhibit Exhibit S - Wolverton Declaration, # <u>14 (p.140)</u> Exhibit Exhibit T - Wheeler Declaration, # <u>15 (p.143)</u> Exhibit Exhibit U - Breidenbaugh Declaration, # <u>16 (p.144)</u> Exhibit Exhibit V - Plaintiff Interrogatory Responses, # <u>17 (p.145)</u> Exhibit Exhibit W - Plaintiff's Third Set of RFPs, # <u>18 (p.150)</u> Exhibit Exhibit X - Discovery Documents) (Gant, Scott)
06/01/2023	<u>273</u> (p.3301)	MEMORANDUM IN SUPPORT re <u>272 (p.2951)</u> Response in Opposition to Motion re <u>263 (p.1689)</u> Defendant's Motion for Summary Judgment. (Gant, Scott) Modified on 6/2/2023 (jla).
06/01/2023	<u>274</u> (p.3337)	Objection to <u>263 (p.1689)</u> MOTION for Summary Judgment <i>PLAINTIFF'S RULE 56(c) OBJECTIONS AND RESPONSES TO NAMB'S UNDISPUTED FACTS IN ITS MOTION FOR SUMMARY JUDGMENT</i> . (Gant, Scott)
06/08/2023	<u>275</u> (p.3353)	REPLY to Response to Motion re <u>263 (p.1689)</u> MOTION for Summary Judgment filed by The North American Mission Board of the Southern Baptist Convention, Inc.. (Perla, Timothy)

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06/08/2023	<u>276</u> (p.3366)	REPLY to Response to Motion re <u>265 (p.2831)</u> MOTION for Summary Judgment filed by Will McRaney. (Attachments: # <u>1 (p.35)</u> Affidavit Declaration of Scott E. Gant, # <u>2 (p.50)</u> Exhibit Exhibit Y- Tax Filings) (Gant, Scott)
07/28/2023	<u>277</u> (p.3443)	MOTION in Limine No. 1 to Exclude Evidence About ERLC Amicus Brief by The North American Mission Board of the Southern Baptist Convention, Inc.. (Attachments: # <u>1 (p.35)</u> Exhibit A - Excerpts of March 3, 2023 30(b)(6) Deposition Transcript of NAMB) (Perla, Timothy)
07/28/2023	<u>278</u> (p.3458)	MEMORANDUM IN SUPPORT re <u>277 (p.3443)</u> MOTION in Limine No. 1 to Exclude Evidence About ERLC Amicus Brief filed by The North American Mission Board of the Southern Baptist Convention, Inc.. (Perla, Timothy)
07/28/2023	<u>279</u> (p.3463)	MOTION in Limine No. 2 to Exclude Evidence and Testimony Relating to Bill Barker by The North American Mission Board of the Southern Baptist Convention, Inc.. (Attachments: # <u>1 (p.35)</u> Exhibit A - Declaration of Bill Barker, Dated February 22, 2023, # <u>2 (p.50)</u> Exhibit B - May 1, 2023 Deposition Transcript of Bill Barker) (Perla, Timothy)
07/28/2023	<u>280</u> (p.3634)	MEMORANDUM IN SUPPORT re <u>279 (p.3463)</u> MOTION in Limine No. 2 to Exclude Evidence and Testimony Relating to Bill Barker filed by The North American Mission Board of the Southern Baptist Convention, Inc.. (Perla, Timothy)
07/28/2023	<u>281</u> (p.3639)	MOTION in Limine No. 3 to Exclude Declarations Produced by Plaintiff by The North American Mission Board of the Southern Baptist Convention, Inc.. (Attachments: # <u>1 (p.35)</u> Exhibit 1 - Affidavit of R. David de Armas, Dated November 21, 2018, # <u>2 (p.50)</u> Exhibit 2 - Affidavit of Scott Thomas, Dated October 29, 2018, # <u>3 (p.58)</u> Exhibit 3 - Affidavit of Jimmy Crosby, Dated October 31, 2018, # <u>4 (p.72)</u> Exhibit 4 - Declaration of Rick Wheeler, Dated November 21, 2022, # <u>5 (p.74)</u> Exhibit 5 - Declaration of Joel Breidenbaugh, Dated February 8, 2023, # <u>6 (p.94)</u> Exhibit 6 - Declaration of Steve Wolverton, Dated February 9, 2023, # <u>7 (p.96)</u> Exhibit 7 - Declaration of Clint Scott, Dated February 15, 2023, # <u>8 (p.99)</u> Exhibit 8 - Declaration of Bill Barker, Dated February 22, 2023, # <u>9 (p.104)</u> Exhibit 8A - May 1, 2023 Deposition Transcript of Bill Barker, # <u>10 (p.128)</u> Exhibit 9 - Declaration of Joni B. Hannigan, Dated February 27, 2023, # <u>11 (p.130)</u> Exhibit 10 - Declaration of Joni B. Hannigan, Dated April 10, 2023) (Perla, Timothy)
07/28/2023	<u>282</u> (p.3932)	MEMORANDUM IN SUPPORT re <u>281 (p.3639)</u> MOTION in Limine No. 3 to Exclude Declarations Produced by Plaintiff filed by The North American Mission Board of the Southern Baptist Convention, Inc.. (Perla, Timothy)
08/04/2023	<u>283</u> (p.3940)	DISREGARD ENTRY - ATTORNEY DIRECTED TO REFILE RESPONSE in Opposition re <u>277 (p.3443)</u> MOTION in Limine No. 1 to Exclude Evidence About ERLC Amicus Brief, <u>279 (p.3463)</u> MOTION in Limine No. 2 to Exclude Evidence and Testimony Relating to Bill Barker, <u>281 (p.3639)</u> MOTION in Limine No. 3 to Exclude Declarations Produced by Plaintiff filed by Will McRaney. (Attachments: # <u>1 (p.35)</u> Exhibit A) (Gant, Scott) Modified on 8/9/2023 (lgm).
08/04/2023	<u>284</u> (p.3948)	DISREGARD ENTRY - ATTORNEY DIRECTED TO REFILE MEMORANDUM IN SUPPORT re <u>283 (p.3940)</u> Response in Opposition to Motion, filed by Will McRaney. (Gant, Scott) Modified on 8/9/2023 (lgm).
08/09/2023		CLERK'S NOTICE re <u>284 (p.3948)</u> Memorandum in Support, <u>283 (p.3940)</u> Response in Opposition to Motion; L.U.Civ.R. 7(b)(2) and Administrative Procedures Section 3(A)(8) states that all supporting exhibits must be denominated by both an exhibit letter or number and a meaningful description; further all related

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		filings to motion must be linked back to the original motion instead of a responsive pleading. Attorney directed to refile response and memorandum. (lgm)
08/09/2023	<u>285</u> (p.3961)	RESPONSE in Opposition re <u>277</u> (p.3443) MOTION in Limine No. 1 to Exclude Evidence About ERLC Amicus Brief, <u>279</u> (p.3463) MOTION in Limine No. 2 to Exclude Evidence and Testimony Relating to Bill Barker, <u>281</u> (p.3639) MOTION in Limine No. 3 to Exclude Declarations Produced by Plaintiff filed by Will McRaney. (Attachments: # <u>1</u> (p.35) Exhibit A - Ezell Dep. Excerpts) (Gant, Scott)
08/09/2023	<u>286</u> (p.3969)	MEMORANDUM IN SUPPORT as to <u>285</u> (p.3961) RESPONSE in Opposition re <u>277</u> (p.3443) MOTION in Limine No. 1 to Exclude Evidence About ERLC Amicus Brief, <u>279</u> (p.3463) MOTION in Limine No. 2 to Exclude Evidence and Testimony Relating to Bill Barker, <u>281</u> (p.3639) MOTION in Limine No. 3 to Exclude Declarations Produced by Plaintiff filed by Will McRaney. (Gant, Scott) Modified on 8/10/2023 (jla).
08/15/2023	<u>287</u> (p.3982)	MEMORANDUM OPINION. Signed by Senior Judge Glen H. Davidson on 8/15/2023. (lgm)
08/15/2023	<u>288</u> (p.3994)	ORDER granting <u>263</u> (p.1689) Motion for Summary Judgment. This Case is CLOSED. Signed by Senior Judge Glen H. Davidson on 8/15/23. (lgm)
09/12/2023	<u>289</u> (p.3995)	NOTICE OF APPEAL as to <u>287</u> (p.3982) Memorandum Opinion, <u>288</u> (p.3994) Order on Motion for Summary Judgment by Scott E. Gant on behalf of Will McRaney. Filing fee \$ 505, receipt number AMSNDC-2295111. (Gant, Scott)
09/13/2023		(Court only) ***Staff notes; Appeal by JLA (jla)
09/15/2023		USCA Case Number 23-60494 for <u>289</u> (p.3995) Notice of Appeal filed by Will McRaney. (jla)
09/17/2023	<u>290</u> (p.3996)	TRANSCRIPT REQUEST for proceedings held on none before Judge not applicable.. (Gant, Scott)

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TAB 2

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI**

Will McRaney,

Plaintiff,

v.

The North American Mission Board of the
Southern Baptist Convention, Inc.,

Defendant.

Case No. 1:17-cv-00080-GHD-DAS

JURY TRIAL DEMANDED

PLAINTIFF'S SUPPLEMENTAL PLEADING

Plaintiff, Will McRaney, by and through his undersigned counsel, files this Supplemental Pleading against the Defendant, The North American Mission Board of the Southern Baptist Convention, Inc., and in accordance with Federal Rule of Civil Procedure 8(a), states as follows:

PARTIES

1. Plaintiff, Will McRaney, is an adult residing at 9448 Lake Hickory Nut Drive, Winter Garden, Florida 34787. Plaintiff has never been employed by Defendant.

2. Defendant, The North American Mission Board of the Southern Baptist Convention, Inc. (NAMB), is a non-profit corporation organized under the laws of Georgia, with a principal place of business at 4200 North Point Pkwy, Alpharetta, Georgia 30022. The President of NAMB is Dr. Kevin Ezell, who has served in that role since September 2010. NAMB has acted as alleged herein through its employees, agents, officers and members of its Board of Trustees. NAMB is an agency of the Southern Baptist Convention (SBC).

SUBJECT MATTER JURISDICTION

3. Plaintiff's complaint, filed in April 2017, was removed from state court to this Court by Defendant. Defendant correctly asserted this Court has subject matter jurisdiction under 28 U.S.C. § 1332(a). *See* Doc. 1 at 2-3.

BACKGROUND

4. In April 2017, Dr. Will McRaney filed a lawsuit in Mississippi state court against NAMB. Like the original April 2017 complaint, this Supplemental Pleading advances claims for interference with business (contract and economic) relationships, defamation, and infliction of emotional distress. And like the April 2017 complaint, this Supplemental Pleading challenges NAMB's alleged conduct both during and after McRaney was employed by a separate, autonomous organization—the Baptist Convention of Maryland/Delaware (BCMD)—which is not a party to this lawsuit. Plaintiff alleges both past and ongoing economic and non-economic harm.

FACTUAL ALLEGATIONS

A. NAMB's Conduct Leading to Plaintiff's Termination by BCMD

5. Plaintiff currently serves as the Senior Pastor of The Island Chapel in Tierra Verde, Florida, and is also the founder and President of the Bullock Institute, a research and training organization. His professional experience includes work as a pastor, church planter, seminary professor, state convention missionary and Executive Director. He is recognized for his research and writings, having published his own book, as well as other chapters, articles, and research publications. He earned his Bachelor of Arts degree from Mississippi State University in 1985, where his activities included playing on the University's baseball and football teams. Plaintiff went on to earn a Master of Divinity in Biblical Studies in 1989, and a Ph.D. in Evangelism and Discipleship from the New Orleans Baptist Theological Seminary in 1992.

6. On or around September 11, 2013, Plaintiff was hired as Executive Director by the BCMD, an organization made up of hundreds of autonomous Baptist churches in Maryland and Delaware. Plaintiff's annual compensation as Executive Director of BCMD was approximately \$135,000.

7. BCMD and Defendant NAMB are separate organizations, which have no authority or control over one another. The two organizations sometimes work in cooperation with one another, on a voluntary basis.

8. When Plaintiff was hired by BCMD, NAMB praised the move. One senior NAMB executive said: "You come highly recommended as a thoughtful church planting leader." NAMB's President, Kevin Ezell said after Plaintiff's hiring: "great days ahead." In an internal NAMB email, a senior NAMB executive told Ezell: "He's going to be good."

9. But Plaintiff proved too independent and principled for NAMB—which gradually turned on Plaintiff, ultimately attacking him with disparaging falsehoods, which led to Plaintiff's ouster by BCMD.

10. For example, NAMB disparaged Plaintiff with the serious assertion to his employer, BCMD, that Plaintiff violated a civil legal agreement (the "Strategic Partnership Agreement" or the "Agreement") between BCMD and NAMB. In a December 2, 2014 letter, NAMB told BCMD it was terminating its Agreement with BCMD, falsely asserting that Plaintiff had: engaged in "serious and persistent disregard of the Strategic Partnership Agreement between BCMD and NAMB [which] resulted in breach of the Agreement"; that Plaintiff's "multiple failures . . . to abide by the Agreement" led NAMB to terminate the Agreement and stop providing funds to BCMD; and that Plaintiff had "willfully and repeatedly ignor[ed] the Strategic Partnership Agreement."

11. NAMB disseminated its disparagement and falsehoods about Plaintiff beyond BCMD, as well. For instance, NAMB personnel contended that Plaintiff lied, and that he “almost single-handedly ruined” the BCMD.

12. After months of disparagement and falsehoods by NAMB, on or around June 8, 2015, BCMD’s General Mission Board voted to terminate Plaintiff’s employment with BCMD—effectively firing him.

13. Faced with termination by BCMD’s Board—and with no severance benefits, and no job—Plaintiff opted to sign a “Separation Agreement” under which he received pay and other benefits for an additional six months. The Separation Agreement is governed by Maryland law, and provides for exclusive jurisdiction in the state or federal courts of Maryland.

14. At the time Plaintiff was terminated by BCMD, and at the time the Separation Agreement between Plaintiff and NAMB was executed, NAMB’s notice of termination of its relationship with BCMD remained in effect.

15. NAMB is not a party to the Separation Agreement, did not participate in its drafting, and was unaware of the Separation Agreement when it was executed.

16. Although BCMD made the final decision to terminate Plaintiff as its Executive Director, that decision was heavily influenced by NAMB’s tortious conduct—which included disparagement and false statements about Plaintiff.

17. Soon after Plaintiff was terminated by BCMD, NAMB rescinded the December 2, 2014 termination letter and restored its relationship with BCMD. In fact, one day after Plaintiff was terminated by BCMD, on June 9, 2015, Steve Davis—NAMB’s Northeast Regional Vice President in 2015—sent an email to NAMB President Ezell noting that he had “refigured the 100% plan for MD/DE based on resignation of Will McRaney, and moving forward.” After BCMD

terminated Plaintiff, NAMB rewarded BCMD by enhancing NAMB's financial contributions to BCMD beyond the levels during or prior to Plaintiff's tenure at BCMD.

18. An internal NAMB email to NAMB President Ezell sent hours after McRaney was terminated, presented Ezell with the new BCMD funding plan which "represents the essence of our discussions for your review," reflecting that NAMB employees had been discussing and planning the enhancement of BCMD's funding following Plaintiff's forthcoming termination.

19. NAMB referred to its now-rescinded threat that it would sever relations with BCMD if it did not get its way as the "Maryland/Delaware disciplinary process."

20. NAMB's misconduct leading up to and including Plaintiff's termination by BCMD caused Plaintiff emotional distress. That misconduct has also continued to harm Plaintiff during the period after his termination by BCMD, by impeding his ability to find new employment—which has caused actual economic harm to Plaintiff, as well as ongoing emotional distress.

B. NAMB's Conduct Following Plaintiff's Termination by BCMD, to the Present

21. Since Plaintiff's termination by BCMD, and continuing to the present, NAMB has engaged in additional tortious conduct, which has interfered with Plaintiff's prospective business relationships with third-parties, injured his professional and personal reputation, and caused emotional distress.

22. This conduct includes NAMB's disparagement of Plaintiff. For example, NAMB has told people outside of NAMB that Plaintiff lies, and that he is "delusional."

23. NAMB also disparaged and harmed Plaintiff by taking the unprecedented step of posting a photo of Plaintiff at the reception desk of NAMB's headquarters, for the purpose of denying him entry to the building. This no-entry-photo, in the lobby of NAMB's building, was visible to NAMB personnel and visitors, and kept up for at least many months in 2016, and perhaps

longer. The no-entry-photo of Plaintiff communicated that Plaintiff was not to be trusted and an enemy of NAMB. The no-entry-photo of Plaintiff was posted by NAMB at the direction of its President, Kevin Ezell.

24. NAMB's conduct after Plaintiff's termination by BCMD has had the purpose and effect of blackballing or blacklisting him, impeding his ability to earn a living after his termination by BCMD—resulting in a significant loss of income.

25. For example, according to a sworn affidavit, in the summer of 2015 Scott Thomas—the President of Safari Christian Business Alliance (SCBA)—was looking to hire an “expert in the field of ministry who could work to advance the mission and objectives of SCBA.” He discussed the possibility of hiring Plaintiff for this role with SCBA's Executive Director and they both “agreed that [Plaintiff] was the strongest person we knew for the job and possessed the experience and attributes SCBA needed in an executive leader of SCBA earning multiple six figures and up.” However, Thomas noted that “the perception portrayed by NAMB among SBC leaders was that Dr. McRaney was a trouble maker with NAMB as the Executive Director of Maryland/Delaware Baptist Convention.” As a result, Thomas testified in an affidavit that the SCBA “regrettably determined that in spite of our personal relationship with and professional support for Dr. McRaney, we could not hire Dr. McRaney because SCBA could not afford the perception problems and potential hurt to SCBA with NAMB and SBC leaders.”

26. In a separate example, about a year after McRaney's forced departure from BCMD, Jimmy Crosby—President of Jacksonville Baptist Theological Seminary (JBTS)—failed to hire Plaintiff for similar reasons. In a sworn affidavit, Crosby testified that “[a]fter meeting Dr. McRaney [in October 2016] and talking with more trusted friends, I was impressed with his academic and ministry credentials.” Crosby noted that “[a]s the President of JBTS, I am always

looking to upgrade the quality of teaching and training we seek to provide to our students, and quickly began considering ways to incorporate Dr. McRaney into the life of JBTS in several leadership roles.” However, “[a]fter learning from various SBC leaders in Florida that NAMB leadership was not pleased with Dr. McRaney,” Crosby “made the decision in late 2016 that I could at that time not hire Dr. McRaney in fear of damage to JBTS and backlash from some SBC leaders.”

27. In addition to being unable to find a full-time job for years after his termination by BCMD, NAMB’s conduct also impeded Plaintiff’s opportunities as a speaker and presenter at conferences and meetings—opportunities which enhanced Plaintiff’s professional profile, gave him forums to promote, and sometimes sell, his books and publications, and were a source of personal enjoyment and satisfaction.

28. For example, Plaintiff was scheduled to speak at a large event in Louisville, Winston County, Mississippi on October 23, 2016, but was uninvited after interference by a member of NAMB’s Board of Trustees. Specifically, Plaintiff was uninvited to speak at the event after Rob Paul—who had extended the invitation to Plaintiff—had a phone call with then-NAMB Board of Trustees member, Danny Wood, during which Wood told Paul that it “makes sense” for Paul to uninvite Plaintiff. Wood made this statement to Paul approximately one month after Wood declared in an email to NAMB’s President, Kevin Ezell, that Wood was ready to “go to battle” with Ezell against Plaintiff.

29. In a similar incident, Plaintiff was invited to speak at a November 2016 conference in Clearwater, Florida. After learning of the invitation to Plaintiff, NAMB President Ezell launched an effort to get Plaintiff removed as a speaker. Event organizer, Joel Breidenbaugh, President of the Florida Baptist Convention Pastor's Conference, was informed of Ezell’s anger,

but bravely resisted NAMB's pressure, and kept Plaintiff as a speaker. The incident, however, further damaged Plaintiff's professional and personal reputation, and illustrates NAMB's post-termination tortious conduct directed at Plaintiff.

30. NAMB's interference with contractual and economic relations, disparagement, and infliction of emotional distress have continued since Plaintiff filed his complaint against NAMB in state court, in April 2017.

31. For example, since the original complaint was filed, NAMB has continued to assert that Plaintiff violated a civil legal agreement between BCMD and NAMB, that he is a liar, and has called Plaintiff "delusional."

32. NAMB has also deployed other arms of the SBC in its campaign against Plaintiff. For instance, the SBC's Baptist Press, told a prominent journalist who had previously worked as a freelancer, that she might get future work if she "would stop writing about Will McRaney."

33. As with NAMB's conduct prior to Plaintiff's termination by BCMD, NAMB's conduct since the termination has had the purpose and effect of making Plaintiff a professional pariah.

34. NAMB has now engaged in a nearly decade-long vendetta against Plaintiff—punishing him for his independence, and his commitment to raising questions and speaking out about possible misconduct.

35. As part of its post-complaint-filing misconduct, NAMB has made numerous out-of-court misrepresentations about Plaintiff's positions and purported demands with respect to this litigation. These misrepresentations have also disparaged Plaintiff, further damaging his professional standing and status, and causing him emotional distress.

36. For example, in out-of-court public statements, NAMB has:

- i. Falsely claimed that Plaintiff “resigned” from BCMD despite knowing that BCMD’s Board voted to terminate his employment;
- ii. Falsely disparaged Plaintiff, portraying him as unreasonable, greedy, and seeking to unfairly enrich himself, by disclosing confidential settlement negotiations with Plaintiff and asserting Plaintiff “demand[ed] that NAMB pay him more than \$7.7 million”; and
- iii. Falsely suggested that Plaintiff has refused to engage with NAMB in “biblical reconciliation”—a falsehood NAMB knows is injurious to Plaintiff’s reputation.

37. NAMB has also engaged in egregious misconduct by its intentional and strategic silence before the Fifth Circuit in this case when a co-SBC-agency—the Ethics and Religious Liberty Commission (ERLC)—filed an amicus brief supporting NAMB’s request for *en banc* review, containing blatantly false misrepresentations about Southern Baptist polity, on issues before the court of appeals. The ERLC amicus brief inaccurately described the SBC as a “hierarchy” that serves as an “umbrella Southern Baptist governing body over all of the various groups of churches.” After a firestorm of outrage about the ERLC’s false statement, the ERLC ultimately confessed its errors to the Fifth Circuit—albeit only after the conclusion of proceedings before the Fifth Circuit. NAMB, however, allowed the Fifth Circuit to deliberate based on these misrepresentations. NAMB not only failed to disclose that the amicus brief supporting it had been filed by another arm of the same organization (which one of Plaintiff’s experts, Professor Barry Hankins of Baylor University, has described as “analogous to Chevrolet issuing a brief on behalf of Buick, both companies being constituents of General Motors”), but NAMB stood by in silence while the ERLC advanced statements NAMB knew to be false—false statements that an SBC task force appointed to study the incident called “a major legal error.” As that task force explained: “The brief was filed in a federal appeals court on August 21, 2020 with known factual and doctrinal errors.”

CAUSES OF ACTION

38. As set forth below, Plaintiff alleges causes of action for interference with contract and economic relations, for infliction of emotional distress, and for defamation (libel and/or slander), based on NAMB's conduct leading to Plaintiff's termination by BCMD, as well as for NAMB's conduct following Plaintiff's termination by BCMD, up to the present.

39. NAMB's misconduct was undertaken with actual malice toward Plaintiff, and was inflicted upon Plaintiff in disregard for his rights and welfare, warranting an award of punitive damages.

COUNT I (NAMB's Conduct Leading to Plaintiff's Termination from BCMD—Interference with Contract and Economic Relations)

40. Plaintiff realleges paragraphs 1 through 39 as if fully set forth herein.

41. BCMD and NAMB are separate organizations, which have no authority or control over one another.

42. After Plaintiff was hired by BCMD, NAMB attacked Plaintiff and spread disparaging falsehoods about him—especially to Plaintiff's employer, BCMD.

43. NAMB used these disparaging falsehoods about Plaintiff as a pretext for termination of a civil law agreement between BCMD and NAMB. That termination was immediately reversed by NAMB once NAMB got its way with Plaintiff's termination by BCMD.

44. NAMB interfered with Plaintiff's employment relationship with BCMD.

COUNT II (NAMB's Conduct Leading to Plaintiff's Termination from BCMD—Defamation)

45. Plaintiff realleges paragraphs 1 through 44 as if fully set forth herein.

46. Prior and leading up to Plaintiff's termination by BCMD, NAMB committed defamation (slander and/or libel) by speaking and disseminating disparaging falsehoods about

Plaintiff, thereby damaging his professional and personal reputation.

COUNT III (NAMB's Conduct Leading to Plaintiff's Termination from BCMD—Infliction of Emotional Distress)

47. Plaintiff realleges paragraphs 1 through 46 as if fully set forth herein.

48. NAMB's attacks on, and disparaging falsehoods about, Plaintiff were willful and outrageous.

49. NAMB's actions were intended to harm Plaintiff.

50. NAMB's conduct caused Plaintiff emotional distress, and that emotional distress was foreseeable by NAMB.

COUNT IV (NAMB's Post-Termination Conduct—Interference with Contract and Economic Relations)

51. Plaintiff realleges paragraphs 1 through 50 as if fully set forth herein.

52. Since Plaintiff's termination by BCMD, and continuing to the present, NAMB has engaged in additional tortious conduct, which has interfered with Plaintiff's prospective business relationships with third-parties.

53. This interference has caused Plaintiff, and continues to cause Plaintiff, actual economic harm, including in the form of reduced income.

COUNT V (NAMB's Post-Termination Conduct—Defamation)

54. Plaintiff realleges paragraphs 1 through 53 as if fully set forth herein.

55. Since Plaintiff's termination by BCMD, and continuing to the present, NAMB has engaged in additional defamation of Plaintiff.

56. NAMB's defamatory statements about Plaintiff since his termination have further injured his professional and personal reputation, causing him additional harm.

COUNT VI (NAMB's Post-Termination Conduct—Infliction of Emotional Distress)

57. Plaintiff realleges paragraphs 1 through 56 as if fully set forth herein.

58. Since Plaintiff's termination by BCMD, and continuing to the present, NAMB has engaged in additional tortious conduct, which has caused emotional distress.

59. NAMB's tortious conduct since Plaintiff's termination has been willful and outrageous.

60. NAMB's actions since Plaintiff's termination have been undertaken with the intent to harm Plaintiff.

61. Plaintiff's emotional distress resulting from NAMB's conduct since Plaintiff's termination was foreseeable by NAMB.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that the Court:

- A. Enter judgment against Defendant in favor of Plaintiff;
- B. Award damages of an amount to be determined at trial, to the maximum extent allowed under the laws, including for economic harm, non-economic harm, and punitive damages;
- C. Award Plaintiff post-judgment interest as provided by law, with such interest to be awarded at the highest legal rate;
- D. Award Plaintiff his attorneys' fees, litigation expenses, and costs, as provided by law;
- E. Grant Plaintiff such other and further relief to which Plaintiff is entitled.

JURY DEMAND

Pursuant to Federal Rule of Civil Procedure 38, Plaintiff demands a trial by jury on all of its claims and issues so triable.

Respectfully Submitted,

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TAB 3

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

WILL MCRANEY

PLAINTIFF

v.

Civil No. 1:17-cv-00080-GHD-DAS

THE NORTH AMERICAN MISSION BOARD
OF THE SOUTHERN BAPTIST CONVENTION

DEFENDANT

MEMORANDUM OPINION

Presently before the Court is the Defendant North American Mission Board's motion for summary judgment [263]. Upon due consideration, the Court finds that the Defendant's motion [263] should be granted and this matter dismissed for lack of subject matter jurisdiction.

Factual and Procedural Background

The Defendant North American Mission Board ("NAMB") is an entity of the Southern Baptist Convention ("SBC"). [Doc. 191 at p.1]. NAMB has relationships with several state or regional conventions of churches, including a formal relationship with the Baptist Convention of Maryland/Delaware ("BCMD"), which is the Plaintiff's former employer. Specifically, in 2012, NAMB and BCMD executed a Strategic Partnership Agreement ("SPA"), which is a formal joint ministry agreement that defines the relationship and responsibilities of the two entities in areas where "the two partners jointly develop, administer, and evaluate a strategic plan" for ministry and evangelism [See Doc. 263-1].

The Plaintiff, an ordained minister who currently serves as a Senior Pastor at a Florida church, served as BCMD's Executive Missional Strategist, or Executive Director, between September 2013 and June 2015. [263-4]. In that role, he and NAMB disagreed

over the best way to achieve the religious objectives set forth in the parties' SPA. [263-10]. Among other issues, the Plaintiff and NAMB disagreed over missionary selection and funding, associational giving, and missionary work requirements. [*Id.*] These disputes, characterized by BCMD's President as a dispute between members within the Body of Christ over the performance of an evangelistic mission, eventually led NAMB to tender its intent to terminate the SPA between it and BCMD. [263-4, at p. 101; 263-11]. Ultimately, the BCMD terminated the Plaintiff's employment.

Thereafter, the Plaintiff filed this suit against NAMB in the Circuit Court of Winston County, Mississippi. In the suit, the Plaintiff alleges that NAMB defamed him and tortiously interfered with his employment with the BCMD resulting in his termination from employment. The Defendant removed the matter to this Court, premising federal jurisdiction on diversity of citizenship under 28 U.S.C § 1332.

The Defendant then filed a motion to dismiss for failure to state a claim, arguing that the ecclesiastical abstention doctrine required dismissal. Because NAMB moved for dismissal under 12(b)(6), the Court reviewed NAMB's motion under that standard and found that based on the allegations of the complaint alone, the Court could not rule that its adjudication of this matter would necessarily entangle the Court in matters of religious doctrine.¹

The Defendant subsequently reasserted the application of the doctrine in a motion for summary judgment [48]. The Court then ordered the parties to show cause why the matter should not be dismissed for lack of subject matter jurisdiction. *See* 28 U.S.C. §

¹ The Court did dismiss one count of tortious interference because the Plaintiff failed to plead that he had suffered damages.

1447(c) (In case removed to federal court, “[i]f at any time before final judgment it appears that the district court lacks subject matter jurisdiction, the case shall be remanded.”) The parties responded, and the Court dismissed the case and ruled that it did not possess subject matter jurisdiction over the Plaintiff’s claims under the ecclesiastical abstention doctrine. [63, 64]. The Defendant appealed and the Fifth Circuit remanded the case, holding that the Court’s ruling was “premature” given that no discovery had taken place, but further held that discovery could confirm that this case is indeed an off-limits religious dispute. *McRaney v. N. Am. Mission Bd. of the S. Baptist Convention, Inc.*, 966 F.3d 346, 351 (5th Cir. 2020). The parties have now conducted discovery and the Defendant has filed the instant motion for summary judgment.

Standard of Review

Summary Judgment

This Court grants summary judgment “if the pleadings, the discovery and disclosure materials on file, and any affidavits show that there is no genuine dispute as to any material fact and that the movant is entitled to judgment as a matter of law.” FED. R. CIV. P. 56(a); *Celotex Corp. v. Catrett*, 477 U.S. 317, 322, 106 S. Ct. 2548, 91 L. Ed. 2d 265 (1986); *Weaver v. CCA Indus., Inc.*, 529 F.3d 335, 339 (5th Cir. 2008). The rule “mandates the entry of summary judgment, after adequate time for discovery and upon motion, against a party who fails to make a sufficient showing to establish the existence of an element essential to that party’s case, and on which that party will bear the burden of proof at trial.” *Celotex Corp.*, 477 U.S. at 322.

The party moving for summary judgment bears the initial responsibility of informing the Court of the basis for its motion and identifying those portions of the record

it believes demonstrate the absence of a genuine dispute of material fact. *Id.* at 323. Under Rule 56(a), the burden then shifts to the nonmovant to “go beyond the pleadings and by . . . affidavits, or by the ‘depositions, answers to interrogatories, and admissions on file,’ designate ‘specific facts showing that there is a genuine issue for trial.’ ” *Id.* at 324; *Littlefield v. Forney Indep. Sch. Dist.*, 268 F.3d 275, 282 (5th Cir. 2001); *Willis v. Roche Biomedical Labs., Inc.*, 61 F.3d 313, 315 (5th Cir. 1995). When the parties dispute the facts, the Court must view the facts and draw reasonable inferences in the light most favorable to the non-moving party. *Scott v. Harris*, 550 U.S. 372, 378, 127 S. Ct. 1769, 167 L. Ed. 2d 686 (2007) (internal citations omitted). “However, a nonmovant may not overcome the summary judgment standard with conclusional allegations, unsupported assertions, or presentation of only a scintilla of evidence.” *McClure v. Boles*, 490 F. App’x 666, 667 (5th Cir. 2012) (per curiam) (citing *Hathaway v. Bazany*, 507 F.3d 312, 319 (5th Cir. 2007)).

Ecclesiastical Abstention Doctrine

The First Amendment provides religious organizations with the “power to decide for themselves, free from state interference, matters of church government as well as those of faith and doctrine.” *Kedroff v. St. Nicholas Cathedral of Russian Orthodox Church in N. Am.*, 344 U.S. 94, 116 (1952); see *Our Lady of Guadalupe Sch. v. Morrissey-Berru*, 140 S.Ct. 2049, 2060 (2020) (holding that the First Amendment forbids court intrusion in “matters of church government” and secures church autonomy “with respect to internal management decisions that are essential to the institution’s central mission ... [including] the selection of the individuals who play certain key roles”). The ecclesiastical abstention doctrine, which is based on the First Amendment’s religious freedom clause, prohibits

courts from reviewing “internal policies, internal procedures, or internal decisions of the church,” as well as “from involving themselves in . . . disputes concerning theological controversy, church discipline, ecclesiastical government . . .” *Klouda v. Sw. Baptist Theological Seminary*, 543 F. Supp. 2d 594, 611 (N.D. Tex. 2008); *Ginyard v. Church of God in Christ Kentucky First Jurisdiction, Inc.*, 6 F. Supp. 3d 725, 729 (W.D. Ky. 2014). In addition, “[c]ourts are bound to stay out of employment disputes involving those holding certain important positions with churches and other religious institutions.” *Our Lady of Guadalupe Sch.*, 140 S.Ct. at 2060. As the Fifth Circuit noted in this case, “[m]atters of church government, as well as those of faith and doctrine” are among the “purely ecclesiastical questions” for which judicial review is precluded. *McRaney*, 966 F.3d at 348. The Fifth Circuit further held in this case that “[i]f further proceedings and factual development reveal that McRaney’s claims cannot be resolved without deciding purely ecclesiastical questions, the court is free to reconsider whether it is appropriate to dismissMcRaney’s claims.” *McRaney*, 966 F.3d at 350.

Analysis and Discussion

Application of the Ecclesiastical Abstention Doctrine

As explained above, the ecclesiastical abstention doctrine, which is rooted in the First Amendment’s free exercise clause, is built out of numerous Supreme Court cases affirming that churches have the “power to decide for themselves, free from state interference, matters of church government as well as those of faith and doctrine.” *Kedroff*, 344 U.S. at 116. Under this doctrine courts have:

consistently agreed that civil courts should not review the internal policies, internal procedures, or internal decisions of the church, and this includes review of whether a church followed its own internal policies or procedures. *See, e.g., Kral v. Sisters of the*

Third Order Regular of St. Francis, 746 F.2d 450 (8th Cir. 1984) (“A claim of violation of the law of a hierarchical church, once rejected by the church's judicial authorities, is not subject to revision in the secular courts.”); *Numn v. Black*, 506 F. Supp. 444, 448 (W.D. Va. 1981) (stating “the fact that local church may have departed arbitrarily from its established expulsion procedure in removing [dissident church members] was of no constitutional consequence”), *aff'd* 661 F.2d 925 (4th Cir. 1981); *Simpson v. Wells Lamont Corp.*, 494 F.2d 490 (5th Cir. 1974); *Burgess v. Rock Creek Baptist Church*, 734 F. Supp. 30 (D.D.C. 1990).

Ginyard, 6 F. Supp. 3d at 729.

Considering all the facts in the record, the Court finds that it cannot adjudicate the Plaintiff's claims in this case without impermissibly delving into church matters in violation of the ecclesiastical abstention doctrine.

First, the Plaintiff's claims, which are brought to protest his dismissal from church leadership, would require the Court to inquire into BCMD's reasons for terminating the Plaintiff's employment and whether NAMB influenced BCMD's decision to terminate the Plaintiff from employment. Specifically, the Plaintiff claims that NAMB defamed him to BCMD and tortiously interfered with his employment agreement with BCMD and that, as a result, he was fired. To prove a defendant tortiously interfered with a business relationship, the plaintiff must show “(1) that the acts were intentional and willful; (2) that they were calculated to cause damage to the plaintiff in his/her lawful business; (3) that they were done with the unlawful purpose of causing damage and loss, without right or justifiable cause on the part of the defendant (which acts constitute malice); (4) that actual damage or loss resulted,” and “(5) the defendant's acts were the proximate cause of the loss or damage suffered by the plaintiff.” *Scruggs, Millette, Bozeman & Dent, P.A. v. Merkel & Cocke, P.A.*, 910 So.2d 1093, 1098–99 (Miss. 2005). To adjudicate these claims, the Court

would be required to interpret the SPA, which is an agreement steeped in religious doctrine, and weigh in on the Plaintiff's job performance as BCMD's Executive Missional Strategist, a position which by its very terms invokes the Church's religious mission and a position in which the Plaintiff clearly served in a ministerial role and in which he had a primary role in conveying the Baptist Church's message and carrying out its religious mission. [Doc. 263-5].² Such an inquiry is clearly contrary to the Constitution, as the Supreme Court has made clear that "the authority to select and control who will minister to the faithful . . . is the church's alone" because it is "a matter 'strictly ecclesiastical.'" *Hosanna-Tabor Evangelical Lutheran Church & Sch. v. E.E.O.C.*, 565 U.S. 171, 195 (2012).

In other words, the Court finds that because the nature of the Plaintiff's claims unavoidably require inquiring into BCMD's internal policies, procedures, and decision-making, in order to determine if NAMB influenced BCMD's decision, the ecclesiastical abstention doctrine is squarely and obviously invoked, and the Court cannot proceed to inquire into such matters and adjudicate the Plaintiff's claims. As the Fifth Circuit has already held in this matter, in order to determine whether the Defendant NAMB unlawfully interfered with the Plaintiff's contract with BCMD, the Court must inquire into the reasons that BCMD decided to terminate the Plaintiff's employment. *McRaney*, 966 F.3d at 349. Making such a ruling would be a clear violation of the First Amendment and the

² The Court finds that the SPA, which as mentioned previously is a Strategic Partnership Agreement between the Defendant NAMB and BCMD, is an inherently religious doctrine-based document. [Doc. 263-3]. The SPA begins by quoting the Bible and is entirely focused on religious matters, including ministry priorities, religious purpose, and missionary personnel and funding. Thus, in order to adjudicate the Plaintiff's claims, the Court would necessarily be required to interpret and decide matters of church government as well as those of faith and doctrine, which the Supreme Court has held encroaches on a Church's "power to decide for themselves, free from state interference, matters of church government as well as those of faith and doctrine." *Kedroff*, 344 U.S. at 116.

ecclesiastical abstention doctrine. It is indeed a quintessential example of an internal management decision that is left under the Constitution entirely to the discretion of the Church.

The Plaintiff further claims that NAMB defamed him by falsely stating that he breached the SPA. While, strictly speaking, a claim involving a breach of contract might not involve inquiring into religious matters, in this instance the SPA is an inherently religious document. Thus, because the Court would be required to assess NAMB's intent in accusing the Plaintiff of breaching the SPA, and then potentially causing NAMB to terminate the SPA with BCMD and as a result perhaps influencing BCMD to terminate the Plaintiff's employment, the Court would be required to delve into inherently religious matters in deciding why NAMB made the alleged statements. Again, this crosses the line into impermissible inquiry into religious matters and decision-making. *Hosanna-Tabor*, 565 U.S. at 185-86 (holding that the First Amendment guarantees "a spirit of freedom for religious organizations, an independence from secular control or manipulation – in short, power to decide for themselves, free from state interference, matters of church government as well as those of faith and doctrine.").

In essence, review of the Plaintiff's claims will unavoidably require the Court to determine *why* BCMD terminated the Plaintiff's employment — and the level of influence that the Defendant NAMB had upon BCMD's decision. It will further require the Court to determine whether NAMB's actions were taken "without right or justifiable cause" — in other words, whether NAMB had a valid religious reason for its actions. Under the ecclesiastical abstention doctrine, the Court simply is not permitted to do so.

The Plaintiff also claims that as a result of NAMB's interference, he was disinvented to speak at a religious event in Louisville, Mississippi. Again, review of this claim would require the Court to determine if the event canceled the Plaintiff's speech for a valid religious reason. It would even require the Court to determine if NAMB's efforts to stop the speech were tortious or if they were a valid exercise of religious belief. As with the Plaintiff's other claims, that is simply a matter the Court cannot decide.

Finally, McRaney claims that the NAMB intentionally inflicted emotional distress upon him by displaying a picture of him at its headquarters that stated "he was not be trusted and public enemy #1 of NAMB." [191, at p. 6.] A plaintiff seeking to establish an intentional infliction of emotional distress must show that "(1) the defendant acted willfully or wantonly toward the plaintiff by committing certain described actions; (2) the defendant's acts are ones that evoke outrage or revulsion in civilized society; (3) the acts were directed at, or intended to cause harm to, the plaintiff; (4) the plaintiff suffered severe emotional distress as a direct result of the acts of the defendant; and (5) such resulting emotional distress was foreseeable from the intentional acts of the defendant." *Rainer v. Wal-Mart Assocs. Inc.*, 119 So.3d 398, 403–04 (Miss. Ct. App. 2013). Once again, to resolve these issues, the Court will need to inquire into the reason the NAMB held these opinions of the Plaintiff, and because the NAMB is a religious institution, the question will touch on matters of religious belief.

A nearly fifty-year old similar case from this District makes the point quite clearly. In *Simpson*, cited *infra*, a dismissed pastor sought to bring a civil rights action challenging his dismissal from employment. The pastor argued that the court could adjudicate his dispute "without determining questions of religious doctrine," much as the Plaintiff argues

herein. Both Judge Keady, at the District Court, and the Fifth Circuit rejected the pastor's argument, dismissed the case for lack of subject matter jurisdiction, and held that the Constitution and the ecclesiastical abstention doctrine provide "[a] spirit of freedom for religious organizations, an independence from secular control or manipulation in short, power to decide for themselves, free from state interference, matters of church government as well as those of faith and doctrine." *Simpson*, 494 F.2d at 493. The same result applies here in the case *sub judice*.

For all of these reasons, the Court, therefore, finds that under the First Amendment it lacks subject matter jurisdiction to adjudicate this dispute. In order to adjudicate the Plaintiff's claims, the Court would necessarily be required to interpret and decide matters of church government as well as those of faith and doctrine, which the Supreme Court has held encroaches on a Church's "power to decide for themselves, free from state interference, matters of church government as well as those of faith and doctrine." *Kedroff*, 344 U.S. at 116. Accordingly, the Court holds, as was additionally the case in the analogous *Bell v. Presbyterian Church (U.S.A.)*, in which a minister was terminated as a program executive director and sued organizations affiliated with his church employer, "decision[s] about the nature, extent, administration, and termination of a religious ministry falls with the ecclesiastical sphere that the First Amendment protects from civil court intervention." *Bell*, 126 F.3d 328, 332-33 (4th Cir. 1997) (affirming district court ruling that employment-related dispute between minister and affiliated non-employer organizations was covered by ecclesiastical abstention doctrine). Adjudication of the Plaintiff's claims in this lawsuit will clearly require the Court to inquire into religious matters and decision-making to a degree that is simply impermissible under the

Constitution and the ecclesiastical abstention doctrine. Accordingly, the Court finds that it does not have jurisdiction to adjudicate the Plaintiff's claims, and those claims and this case in its entirety shall be dismissed on those grounds.

Dismissal vs. Remand to State Court

28 U.S.C. § 1447(c) provides that “[i]f at any time before final judgment it appears that the district court lacks subject matter jurisdiction, the case *shall be remanded*” to the state court from which it was removed. (emphasis added). The Supreme Court has long held that over ecclesiastical controversies such as this one, “*civil courts exercise no jurisdiction.*” *Watson v. Jones*, 80 U.S. 679, 733 (1871) (emphasis added). In addition, the Fifth Circuit has recognized that “dismissal, rather than remand, may be proper if a suit is a local action over which the state court in which it was brought also would lack jurisdiction.” *Boaz Legacy, L.P. v. Roberts*, 628 F. App'x 318, 320 (5th Cir. 2016) (citing *Trust Co. Bank v. United States Gypsum Co.*, 950 F.2d 1144, 1148 (5th Cir. 1992)). NAMB urges this Court to dismiss the Plaintiff's claims because, it argues, the state courts of Mississippi would also lack subject-matter jurisdiction under the ecclesiastical abstention doctrine. See *Mallette v. Church of God Int'l*, 789 So. 2d 120, 123 (Miss. Ct. App. 2001).

The Court agrees with NAMB that Mississippi state courts also clearly lack subject matter jurisdiction to adjudicate this dispute. *Mallette*, 789 So. 2d at 123 (“A civil court is forbidden, under the First and Fourteenth Amendments to the United States Constitution, from becoming involved in ecclesiastical disputes.”). If this Court lacks jurisdiction to hear the Plaintiff's claims because the claims involve ecclesiastical disputes, then the state court likewise lacks jurisdiction. Thus, on remand, the state trial court would likewise be

compelled to dismiss under the doctrine. Accordingly, the Court finds that this matter should be dismissed rather than remanded.

An order in accordance with this opinion shall issue on this date.

This, the 15th day of August, 2023.



SENIOR U.S. DISTRICT JUDGE

TAB 4

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

WILL MCRANEY

PLAINTIFF

v.

Civil No. 1:17-CV-00080-GHD-DAS

THE NORTH AMERICAN MISSION BOARD
OF THE SOUTHERN BAPTIST CONVENTION

DEFENDANT

ORDER GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

Pursuant to an opinion issued this day, it is hereby ORDERED that:

- (1) the Defendant's motion for summary judgment [Doc. No. 263] is GRANTED;
- (2) the Plaintiff's claims are DISMISSED for lack of subject matter jurisdiction;
and
- (3) this case is CLOSED .

All memoranda, depositions, declarations, and other materials considered by the Court in ruling on this motion are hereby incorporated into and made a part of the record in this action.

SO ORDERED THIS the 15th day of August, 2023.



SENIOR U.S. DISTRICT JUDGE

23-60494.3994

TAB 5

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI**

Will McRaney,

Plaintiff,

v.

The North American Mission Board of the
Southern Baptist Convention, Inc.,

Defendant.

Case No. 1:17-cv-00080-GHD-DAS

PLAINTIFF'S NOTICE OF APPEAL

Plaintiff, Will McRaney, hereby appeals to the United States Court of Appeals for the Fifth Circuit from the Order granting Defendant's motion for summary judgment and dismissing Plaintiff's claims for lack of subject matter jurisdiction, entered on August 15, 2023 (Doc. 288), and the Memorandum Opinion, dated August 15, 2023 (Doc. 287).

September 12, 2023

Respectfully Submitted,

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23-60494.3995

CERTIFICATE OF SERVICE

I hereby certify that on October 31, 2023, a true and correct copy of the foregoing Record Excerpts was served via electronic filing with the Clerk of Court and all registered ECF users. Upon acceptance by the Court of the e-filed document, 4 paper copies will be filed with the Court within the time provided in the Court's rules via Federal Express

Dated: October 31, 2023

/s/Scott E. Gant